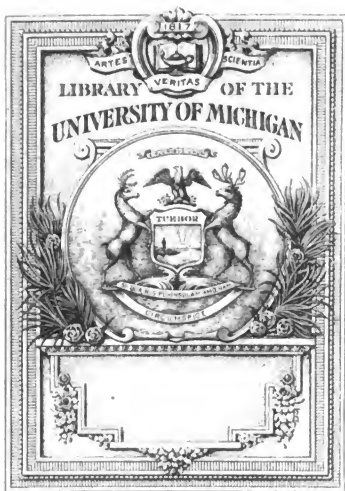


# Journal of the Senate of the State of Vermont

Vermont. General  
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JOURNAL

OF

THE SENATE

OF THE

STATE OF VERMONT,

BIENNIAL SESSION, 1886.



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# JOURNAL OF THE SENATE.

WEDNESDAY, OCTOBER 6TH, 1886.

Pursuant to the provisions of the constitution and laws of the State of Vermont, the senate convened in the state-house, at Montpelier, on the first Wednesday, being the sixth day of October, in the year of our Lord one thousand eight hundred and eighty-six.

At ten o'clock in the forenoon the senate was called to order by His Honor Ebenezer J. Ormsbee, the president.

Devotional exercises were conducted by Rev. J. S. Goodall, of Essex.

The roll of the senate was called, whereupon it appeared that the following named senators were present, and they were duly sworn by the president, and severally subscribed the oath of office :

Addison county...DORASTUS W. NASH...New Haven.  
ALBERT E. STANLEY...Leicester.  
Bennington county..ALONZO B. VALENTINE..Bennington.  
JEFFERSON R. JUDSON..Arlington.  
Caledonia county...CHARLES A. BUNKER..Peacham.  
HENRY C. BATES.....St. Johnsbury.  
Chittenden county..WILLIAM WELLS.....Burlington.  
ALONZO J. STEVENS...Colchester.  
SMITH WRIGHT.....Williston.  
Essex county.....FRANKLIN D. HALE...Lunenburg.  
Franklin county...CARM L. MARSH.....Enosburgh.  
JAMES G. POWELL....Richford.  
JOHN F. DRAPER.....Sheldon.  
Grand Isle county..JEROME P. HALL.....South Hero.  
Lamoille county...JEROME B. SLAYTON...Stowe.  
Orange county.....VICTOR I. SPEAR.....Braintree.  
JOHN BAILEY.....Newbury.  
Orleans county...AUSTIN T. FOSTER.....Derby.  
GEORGE H. BLAKE....Barton.  
Rutland county...JOEL C. BAKER.....Rutland.  
HENRY L. CLARK.....Castleton.  
PHILLIPS E. CHASE....Mt. Holly.  
ALBERT Y. GRAY.....Middletown Springs.

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Washington county.	WILLIAM CHAPIN.....	Middlesex.
	FRED E. SMITH.....	Montpelier.
Windham county...	ALBERT N. SWAIN.....	Rockingham.
	EDGAR W. STODDARD..	Brattleboro.
Windsor county....	CHESTER PIERCE.....	Rochester.
	HENRY A. FLETCHER...	Cavendish.
	DANIEL L. CUSHING...	Hartford.

The senate then proceeded to the election of secretary.

And on motion of Mr. Chapin, no other nomination being made for secretary,

**CHAUNCEY W. BROWNELL, JR.,**

of Burlington, was unanimously elected by a *viva voce* vote, under a suspension of the rules. He presented himself at the bar of the senate and received the oath of office.

The senate then proceeded to the election of assistant secretary.

The president appointed as tellers Senators Powell and Fletcher.

The ballots having been taken and examined for assistant secretary, it appeared that the senate had made no choice.

The senate again proceeded to the election of assistant secretary.

The president appointed as tellers Senators Hale and Smith.

The ballots having been taken and examined for assistant secretary, it appeared that the senate had made no choice.

The senate again proceeded to the election of assistant secretary.

The president appointed as tellers Senators Marsh and Nash.

The ballots having been taken and examined for assistant secretary, it appeared that

**ALLAND G. FAY**

of Plainfield, having received a majority of all the votes cast, was elected, and he presented himself at the bar of the senate and received the oath of office.

The senate then proceeded to the election of chaplain.

The president appointed as tellers Senators Spear and Blake.

The ballots having been taken and examined for chaplain, it appeared that the senate had made no choice.

The senate again proceeded to the election of chaplain.

The president appointed as tellers Senators Stoddard and Nash.

The ballots having been taken and examined for chaplain, it appeared that

**REV. T. P. FROST**

of Montpelier, having received a majority of all the votes cast, was elected.

The senate proceeded to the election of a president *pro tempore*.  
And on motion of Mr. Baker, no other nomination being made,

HENRY C. BATES,

a senator from the county of Caledonia, was unanimously elected *viva voce* president *pro tempore*, and he presented himself at the bar of the senate and received the oath of office.

Mr. Stanley offered the following resolution, which was read and adopted :

*Resolved*, That the secretary be and is hereby directed to inform the house of representatives that a quorum of the senate have assembled, and organized by the election of Henry C. Bates, president *pro tempore*, Chauncey W. Brownell, Jr., secretary, and A. G. Fay, assistant secretary, and are ready on their part to proceed with the business of the session.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that a quorum of the house have assembled, and organized by the election of Josiah Grout, the representative from the town of Derby, as speaker, and William W. Stickney of Ludlow, as clerk, and are now ready on their part to proceed with the business of the session.

Mr. Swain offered the following resolution, which was read and adopted :

*Resolved*, That the secretary of the senate furnish to each senator and officer of the senate two daily papers and one weekly paper during the present session.

Mr. Chapin offered the following resolution, which was read and adopted :

*Resolved*, That the senate be governed by the senate rules of the session of 1884 until others are adopted.

Mr. Valentine offered the following joint resolution, which was read and adopted on the part of the senate :

*Resolved by the Senate and House of Representatives*, That the joint rules of the session of 1884 be the joint rules of this session until others are adopted.

Mr. Baker offered the following resolution, which was read and adopted :

*Resolved*, That a committee of two senators be appointed by the president to wait upon His Excellency, the Governor, and inform him that the senate have organized, and are ready to proceed with the business of the session.

The president appointed as the committee to wait upon His Excellency, the Governor,

Senator Baker of Rutland,  
Wells of Chittenden.

Mr. Bates moved that the president appoint a committee of three senators to name a committee on the part of the senate to canvass the votes for state officers.

And the same was agreed to.

Thereupon the president appointed as such committee,

Senator Bates of Caledonia,  
Powell of Franklin,  
Stanley of Addison.

Mr. Baker, from the committee to wait upon His Excellency, the Governor, and inform him that the senate had organized and was ready to proceed with the business of the session, reported that they had performed the duty assigned them, and that the governor would communicate to the senate at an early hour.

On motion of Mr. Hale the senate took a recess for fifteen minutes.

At the expiration of the recess the president resumed the chair.

Mr. Bates, from the committee appointed to nominate a committee on the part of the senate to canvass the votes for state officers, presented the names of the following senators to act as such committee :

Senator Nash of Addison,  
Judson of Bennington,  
Bunker of Caledonia,  
Wells of Chittenden,  
Hale of Essex,  
Draper of Franklin,  
Hall of Grand Isle,  
Slayton of Lamoille,  
Spear of Orange,  
Foster of Orleans,  
Clark of Rutland,  
Chapin of Washington,  
Swain of Windham,  
Pierce of Windsor,

and they were confirmed by the senate.

The president *pro tempore* being called to the chair, addressed the senate as follows :

SENATORS :

I thank you for the honor you have conferred upon me by electing me your president *pro tempore*. I must frankly inform you that I am inexperienced in the duties of the position, and

it is with some reluctance that I undertake them, but relying upon your assistance and forbearance, I accept the position, promising you my best endeavors to faithfully perform my duties. Again thanking you for your kind consideration, I await your pleasure.

On motion of Mr. Clark the senate adjourned.

#### AFTERNOON.

Mr. Clark offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 7, at two o'clock and thirty minutes in the afternoon, to receive the report of the joint canvassing committee appointed to canvass votes for state officers, which was read and adopted on the part of the senate.*

Mr. Valentine moved that a committee of one senator from each county be appointed by the chair to nominate the standing committees of the senate.

And the same was agreed to.

Thereupon the president appointed as such committee

Senator Stanley of Addison,  
Valentine of Bennington,  
Bates of Caledonia,  
Wells of Chittenden,  
Hale of Essex,  
Marsh of Franklin,  
Hall of Grand Isle,  
Slayton of Lamoille,  
Spear of Orange,  
Blake of Orleans,  
Baker of Rutland,  
Chapin of Washington,  
Swain of Windham,  
Fletcher of Windsor.

The president administered the prescribed oath to the members of the canvassing committee appointed to canvass votes for state officers.

On motion of Mr. Blake the senate took a recess for fifteen minutes.

At the expiration of the recess the president resumed the chair.

On motion of Mr. Clark the senate took a further recess of ten minutes.

At the expiration of the recess the president resumed the chair.

A message was received from His Excellency, the Governor, by Mr. Watson, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the governor to inform the senate that he will deliver his retiring message in the presence of the general assembly on such date and hour as the two houses may fix upon.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part appointed the following named gentlemen as members of the committee to canvass votes for state officers :

Addison county.....	Mr. Britell of Weybridge, Hall of Orwell, Hoyt of Panton ;
Bennington county.....	Mr. Shurtleff of Bennington, Lakin of Peru, Safford of Arlington ;
Chittenden county.....	Mr. Freeman of Richmond, Parker of Westford, Proctor of South Burlington :
Caledonia county.....	Mr. Hubbard of Lyndon, Hood of Stannard, Welch of Wheelock ;
Essex county.....	Mr. Grannis of Guildhall, Pratt of Concord, Nelson of Norton ;
Franklin county.....	Mr. Bedard of St. Albans, Beeman of Fairfax, Post of Georgia ;
Grand Isle county.....	Mr. Griswold of Grand Isle, Hall of Isle La Motte, Hyde of North Hero ;
Lamoille county.....	Mr. Burnell of Wolcott, Stearns of Johnson, Raymond of Stowe ;
Orange county.....	Mr. Keyes of Newbury, Church of West Fairlee, Flagg of Braintree ;



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Orleans county.....	Mr. Wheeler of Irasburgh, Cargill of Morgan, Wilson of Westmore;
Rutland county.....	Mr. Denison of Pittsford, Dickinson of Benson, Goodspeed of Wells;
Washington county.....	Mr. Drenan of Woodbury, Boyce of Fayston, Sibley of East Montpelier;
Windham county.....	Mr. Butterfield of Grafton, Dexter of Wardsboro, Ranney of Westminster;
Windsor county.....	Mr. Dewey of Hartford, Smith of Chester, Putnam of Barnard.

The house has considered a joint resolution from the Senate providing for a joint assembly on Thursday, October 7th, at two o'clock and thirty minutes in the afternoon to receive the report of the joint canvassing committee appointed to canvass votes for State officers and have adopted the same in concurrence.

The house have on their part adopted a joint resolution providing for a joint assembly to receive the message of the retiring governor. In the adoption of which the concurrence of the senate is requested.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 7th at eleven o'clock A. M., to receive the message of the retiring governor.*

Was read and adopted in concurrence.

On motion of Mr. Cushing the senate adjourned.

THURSDAY, OCTOBER 7TH, 1886.

Reading of the scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Swain,

S. 1. An act in amendment of chapter seven of the Revised Laws, relating to the manner of conducting elections.

To the committee on elections.

By Mr. Chapin,

S. 2. An act to amend section three hundred eighty-two of the Revised Laws relating to the collection of taxes.

To the committee on the judiciary.

The hour having arrived for a meeting of the two houses, in joint assembly, the senate repaired to the hall of the house of representatives.

Having returned therefrom, on motion of Mr. Baker the senate adjourned.

## AFTERNOON.

President *pro tempore* in the chair.

Mr. Stanley, from the committee appointed to nominate the standing committees of the senate, reported as follows :

## TO THE SENATE :

The committee appointed by the president under the resolution adopted by the senate recommend the adoption of the following resolution :

*Resolved*, That the standing committees of the senate shall severally consist of the following named senators, to wit :

## ON RULES.

Mr. Bates,  
Marsh,  
Hall.

## ON FINANCE.

Mr. Foster,  
Judson,  
Smith.

## ON JUDICIARY.

Mr. Baker,  
Bates,  
Clark,  
Stoddard,  
Hale,  
Blake,  
Wells.

## ON CLAIMS.

Mr. Clark,  
Nash,  
Draper,  
Stevens,  
Bailey.

## ON EDUCATION.

Mr. Bunker,  
Spear,  
Stoddard,  
Valentine,  
Cushing.

## ON AGRICULTURE.

Mr. Slayton,  
Marsh,  
Hall.

## ON MANUFACTURES.

Mr. Smith,  
Gray,  
Powell,

## ON ELECTIONS.

Mr. Judson,  
Pierce,  
Foster.

## ON MILITARY AFFAIRS,

Mr. Valentine,  
Chase,  
Marsh.

## ON RAILROADS.

Mr. Stoddard,  
Foster,  
Nash,  
Fletcher,  
Baker,  
Chapin,  
Wright.

## ON HIGHWAYS AND BRIDGES.

Mr. Chapin,  
Draper,  
Spear.

ON BANKS.

Mr. Wells,  
Pierce,  
Gray,

ON LAND TAXES.

Mr. Wright,  
Hale,  
Hall.

ON PRINTING.

Mr. Swain,  
Blake,  
Powell,

GENERAL COMMITTEE.

Mr. Fletcher,  
Valentine,  
Wright,  
Stanley,  
Chase.

ON FEDERAL RELATIONS.

Mr. Hale,  
Swain,  
Bunker,

ON STATE PRISON.

Mr. Cushing,  
Judson,  
Chapin,

ON INSANE ASYLUM.

Mr. Stanley,  
Baker,  
Spear,

ON GRAND LIST.

Mr. Bailey,  
Stevens,  
Slayton.

Respectfully submitted,

A. E. STANLEY,

*For Committee.*

Thereupon the report was accepted, the accompanying resolution adopted, and the several nominations confirmed.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a joint resolution from the senate relating to joint rules.

And have adopted the same in concurrence.

The house have on their part adopted joint resolutions as follows :

Joint resolution providing for the appointment of a committee to canvass votes for members of congress ; joint resolution providing for joint committee to canvass votes for county and probate officers and justices of the peace.

In the adoption of which the concurrence of the senate is requested.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives*, That a joint committee, consisting of one senator and three representatives from each county, be appointed upon nomination of the president of the senate and speaker of the house of representatives, respectively, to canvass votes given in the several congressional districts, and declare those persons, having a majority of all the votes cast in said districts, respectively, to be elected representatives to represent this state in the congress of the United States.

Was read and adopted in concurrence.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives*, That a joint committee to consist of one senator and three representatives from each county, be appointed to receive and examine the certificates of the votes given in each county, for assistant judges of the county court, sheriff, high bailiff, state's attorney, and judges of probate for each probate district, for the two years next ensuing ; also to receive and examine the certificate of the votes given the several towns, for justices of the peace, for the two years next ensuing ; to ascertain and declare the persons duly elected to said offices, and to report the said election to the general assembly, agreeably to the provision of the constitution.

Was read.

Mr. Chapin moved that the senate propose to the house to amend the resolution, by inserting in line five after the word " appointed " the words *by the presiding officer of each house respectively*.

Which was agreed to.

Thereupon the resolution was adopted in concurrence with proposal of amendment.

The hour having arrived for a meeting of the two houses in joint assembly the senate repaired to the hall of the house of representatives.

Having returned therefrom, Mr. Stoddard offered the following resolution which was read and adopted :

*Resolved*, That a committee of three senators be appointed to inform the Hon. Levi K. Fuller of his election as lieutenant governor, and conduct him to the bar of the senate to receive the oath of office.

The president appointed as the committee under the foregoing resolution.

Senator Stoddard of Windham,  
Clark of Rutland,  
Foster of Orleans.

The committee appointed to wait upon the lieutenant governor appeared at the bar of the senate accompanied by His Honor, Levi K. Fuller, who received and subscribed the oath of office required by the constitution, and upon taking the chair, addressed the senate as follows :

SENATORS :

The State of Vermont was settled and organized in times of danger and at the very outset the people gave to public affairs careful attention ; they were guided by a love of freedom, equal rights and exact justice. This watchful care has been continued to the present time, so that we have had transmitted to us a model constitution and good laws.

In the councils of the nation Vermont has been extremely fortunate in the men who have represented her. On the field of battle no less conspicuous have been the achievements of her sons. In matters of law her courts have been authority. Her legislatures have been replete with wisdom, virtue and honor. As new and important questions have arisen they have received thoughtful attention, and the manner of their disposal has been eminently fit.

At the present session of the general assembly matters of more than ordinary interest and importance are likely to be presented for solution ; the high character of the senators and representatives leaves no room to doubt of the final result ; there will be no departure from the high standard set by those who have occupied these halls.

Having been called by the freemen of this state to preside over this honorable body, let me first return to them my most sincere thanks. I enter upon the discharge of these duties mindful of my own inexperience, but on your courtesy, forbearance and assistance I confidently rely. I bring an earnest determination to act with equal justice and impartiality.

Invoking the aid of Him who giveth all wisdom, I am now ready to assume the duties of the chair.

On motion of Mr. Swain the senate adjourned.

FRIDAY, OCTOBER 8, 1886.

Reading of the scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

The president announced the appointment of the following joint standing committee on joint rules, on the part of the senate :

Senator Swain of Windham,  
Clark of Rutland.

The president announced the appointment of Earle S. Kinsley, of Burlington, official reporter of the senate.

Bills of the following titles were severally introduced, read the first and second times and referred, as follows :

By Mr. Wells,

S. 3. An act relating to the Burlington Gas Light Company ;  
To the committee on manufactures.

By Mr. Baker,

S. 4. An act to amend chapter 44 of the Revised Laws relating to the supreme and county courts ;

To the committee on the judiciary.

The president laid before the senate the following communication :

STATE OF VERMONT.

EXECUTIVE CHAMBER,  
MONTPELIER, October 8, 1886. }

TO THE PRESIDENT OF THE SENATE :

SIR :—I have the honor to inform the senate that I have appointed Fletcher D. Proctor secretary of civil and military affairs.

EBENEZER J. ORMSBEE.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :



**MR. PRESIDENT :**

I am directed to inform the senate that the house have on their part adopted a joint resolution granting the use of the hall of the house of representatives to the Vermont Bible Society.

In the adoption of which the concurrence of the senate is requested ; and the house have also on their part adopted a joint resolution providing for printing the message of the retiring governor and of the governor.

In the adoption of which the concurrence of the senate is requested.

Joint resolutions from the house as follows :

*Resolved by the Senate and House of Representatives,* That the use of the hall of the house of representatives be granted to the Vermont Bible Society Wednesday evening, October 20th, for the anniversary exercises of that society.

*Resolved by the Senate and House of Representatives,* That the clerk be instructed to secure the printing of one thousand copies of the valedictory message of the retiring governor, and also the printing of one thousand copies of the governor's message, for the use of the senate and house of representatives.

Were severally read and adopted in concurrence.

Mr. Bates, from the committee on rules, submitted the following report.

**TO THE HONORABLE SENATE :**

The committee on rules respectfully report recommending the adoption of the following, as the rules of the senate, during the present session :

**RULES AND ORDERS OF THE SENATE.****1.**

The credentials of senators shall be presented to the secretary or assistant secretary previous to ten o'clock on the morning of the first Wednesday of October, at which time the senate shall be called to order. The names of the senators shall be called, and when a quorum shall have taken their seats, they shall take the following oath, viz : " I, —, senator of the county of —, in the State of Vermont, October session, 18 —, do solemnly swear that I will be faithful and true to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the constitution or government thereof as established by convention. So help me God. And I also solemnly swear that, as a member of this senate, I will not propose or assent to any bill, vote or resolution which shall appear to me injurious to the people, nor do or consent to any act or thing whatever that shall have a tendency to lessen or abridge their

rights and privileges, as declared by the constitution of this state ; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and abilities. So help me God. And I also solemnly swear (or affirm) that I did not at the time of my election to this body, and that I do not now, hold any office of profit or trust under the authority of congress. So help me God." Whereupon, they shall, on nomination of the President, appoint a *Canvassing Committee*, consisting of one senator from each county, to join such committee as the house of representatives may appoint, whose duty shall be to receive, sort and count the votes for governor, lieutenant governor, treasurer, secretary of state and auditor of accounts ; and shall, in like manner, appoint a committee of one senator from each county to join such committee as the house of representatives may appoint, whose duty shall be to canvass the votes for county and probate officers, and make report thereof to the joint assembly of both houses.

## 2.

The senate shall meet every day (Sundays excepted) at ten o'clock in the morning, and two o'clock in the afternoon, unless otherwise specially ordered.

## 3.

The president having taken the chair, and a quorum being present, the journal of the preceding day shall be read, and all errors therein corrected.

## 4.

In case no quorum shall assemble within fifteen minutes after the time to which the senate was adjourned, those present shall have the power to send the sergeant-at-arms, or other officer, after the absentees, and compel their attendance.

## 5.

The senate shall biennially, within the first four days of actual sitting, elect, by ballot, a secretary, an assistant secretary, and president *pro tempore*, who shall be severally sworn to the faithful discharge of their duties, and shall hold their offices until superseded by a new election. The assistant secretary shall be *ex officio* engrossing clerk. The president *pro tempore* so elected shall preside in the absence of the president.

## 6.

Whenever the senate shall assemble, according to adjournment, or at the commencement of a session, and the president and president *pro tempore* shall be absent, it shall be the duty of the secretary, if present, if not, of a senator, to call to order ; and the senators present, if a quorum, shall by ballot elect a president *pro tempore*, who shall preside until the return of the president or the president *pro tempore* named in rule 5.

## 7.

No senator shall be absent without leave, unless he is sick, or otherwise necessarily detained.

## 8.

No senator shall audibly speak to another, or otherwise interrupt the business of the senate, while the journal or other public papers are being read, or while a senator is orderly speaking in debate.

## 9.

Every senator, when he speaks, shall, standing in his place, address the president, and when he has finished shall sit down.

## 10.

No senator shall speak more than twice on the same question, without leave of the senate; and senators who have once spoken shall not again be entitled to the floor (except for the purpose of explanation) to the exclusion of another who has not spoken.

## 11.

In all cases, the senator first arising and addressing the president (subject to the restriction of rule 10,) shall be entitled to the floor, and when two or more arise at the same time, the president shall name the one who is to speak.

## 12.

When a senator shall be called to order he shall sit down; and every question of order shall be decided by the president without debate, subject to an appeal to the senate.

## 13.

If a senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing by the senator calling to order, that the president may be better enabled to judge of the matter.

## 14.

The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions, and the introduction of bills; after which the orders of the day, or other proper business, shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in receiving and disposing of reports of committees, and in completing the business of the morning hour; at the expiration of which, the senate will again take up the orders of the day.

## 15.

Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the senate, when the call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts or other explanations, in answer to the call of any senator.

## 16.

The proceedings of the senate, excepting when acting as in committee of the whole, embracing the titles of bills and such parts thereof as may be affected by the proposed amendments, and also the names of the senators, and the votes which they give on every question decided by yeas and nays, shall be, by the secretary, accurately and concisely inserted in the journal.

## 17.

The senate shall at each biennial session appoint the following committees, to consist of three members each, except that the committees on the judiciary and on railroads shall consist of seven members each, and the committees on claims, on education and general committee shall consist of five members each :

- A Committee on Rules.
- A Committee on Finance.
- A Committee on the Judiciary.
- A Committee on Claims.
- A Committee on Education.
- A Committee on Agriculture
- A Committee on Manufactures.
- A Committee on Elections.
- A Committee on Military Affairs.
- A Committee on Railroads.
- A Committee on Highways and Bridges.
- A Committee on Banks.
- A Committee on Land Taxes.
- A Committee on Printing.
- A General Committee.
- A Committee on Federal Relations.
- A Committee on the State Prison.
- A Committee on the Insane Asylum.
- A Committee on Grand List.

## 18.

All bills after the second reading, and all petitions, memorials, remonstrances, resolutions and other papers, calling for legislative action (except such as have been reported by a committee,) no objection being made, shall be referred by the president to appropriate committees.

## 19.

Before any resolution, any petition, or other paper addressed to the senate, shall be received and read, whether the same shall be introduced by the president or a senator, the title shall be fairly endorsed thereon, and a brief statement of its objects or contents shall be made by the introducer.

## 20.

Every motion shall be reduced to writing by the mover, if required thereto, by the president or a senator, and a motion to lay another motion, the latter not being in writing, on the table, or otherwise to dispose of it, shall not be in order.

## 21.

Every bill shall receive three readings before it is passed; the president shall give notice at each reading whether it be the first, second or third; the last of which reading of public bills shall be at least twenty-four hours after the first reading, unless the senate unanimously direct otherwise; provided that the bills may be read the second time by their title. Resolutions requiring the approbation and signature of the governor shall be treated in all respects as bills; and the third reading of all bills of a public nature shall be ordered for some particular day. Each and every nomination made by the governor, to be confirmed by the senate, shall lie over at least twenty-four hours between such nomination and the confirmation thereof.

## • 22.

On motion of a senator, public bills, after the second reading, may be referred to committee of the whole.

## 23.

No amendment to a bill originating in the senate shall be received at third reading, but the bill may be committed to a senator for amendment at any time before its passage.

## 24.

Motions on bills and resolutions shall be sustained in the following order: 1. To postpone indefinitely. 2. To lay on the table. 3. To commit. 4. To amend.

## 25.

A call for the previous question shall not at any time be in order. A motion to adjourn shall always be in order.

## 26.

If the question in debate contains several points, the same may be divided on the demand of a senator. A motion to strike out and in-

sert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one, or a motion to simply strike out; nor shall the rejection of a motion simply to strike out, prevent a subsequent one to strike out and insert.

## 27.

In filling blanks, the largest sum and the longest time shall be first in order.

## 28.

When the reading of a paper is called for, and the same is objected to by a senator, the question shall be determined by a vote of the senate.

## 29.

The yeas and nays shall be taken on a call of a senator, and every senator present shall vote unless excused by the senate; but no senator shall be compelled to vote who was absent when the question was stated by the president.

## 30.

No senator in the minority, nor one who did not vote on the decision of the question, shall have a right to move a reconsideration thereof; nor shall any motion for reconsideration be in order unless made before the close of the next day of actual sitting of the senate, after that in which the vote was taken, and before the bill, resolution, report, amendment, address, or motion upon which the vote was taken, shall, in regular progress of business, have gone out of the possession of the senate.

## 31.

On all questions, in the decision of which a simple majority is required, when the senate is equally divided, the secretary shall take the casting vote of the president. In all such cases a motion for reconsideration, if made in time, shall be in order from any senator who voted on the question.

## 32.

The president shall have the right to call upon any senator to discharge the duties of the chair, whenever he shall find it necessary temporarily to retire; but such substitution shall not extend beyond more than one adjournment.

## 33.

The senate having taken the final vote on any question, the same shall not again be in order during the same session, in any form whatever, except by way of reconsideration; and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

34.

No proposition to amend the rules of the senate or the joint rules of both houses, shall be acted on until the same shall have been before the senate at least twenty-four hours ; and no rule of the senate shall be suspended except by the vote of three-fourths of the members present.

35.

Messages shall be sent to the house of representatives by the secretary or assistant secretary.

36.

Reporters may be placed on the floor of the senate, under the direction of the secretary, with the approbation of the president.

37.

No person shall be admitted within the lobby of the senate chamber except the governor, treasurer of the State, secretary of the State, auditor of accounts, members of the other house, judges of the supreme court, senators and representatives in congress, ex-governors and lieutenant governors, ex-judges of the supreme court, ex-senators of the state senate, district judge, circuit judge, and attorney of the United States, members of other state legislatures, clerk and assistant clerk of the house of representatives, and the secretary of civil and military affairs, and such ladies and gentlemen as the president or a senator may introduce.

38.

When in session the senators shall sit with their heads uncovered.

39.

Upon any disorderly conduct in the gallery, the president may order the same to be cleared.

40.

Whenever a bill or resolution is laid on the table, by order of the senate, and shall have remained on the table twenty-four hours, it shall be subject to be taken up by the chair, and presented for the consideration of the senate, without a call or order on the subject.

41.

There shall be one door-keeper, one assistant door-keeper, and two messengers of the senate.

42.

#### CHOICE OF SEATS.

At nine o'clock on the morning of the first day of the session, and before the senate shall be called to order, the secretary shall place in a box prepared for the purpose, fourteen ballots, designating by

name the several counties in the state, and shall proceed to draw therefrom, impartially, one ballot at a time until all are drawn. And as each ballot is drawn, the senator or senators from the county designated by such ballot, shall, personally, if present, or may by proxy, if absent, select his or their seat or seats. If any senator or senators, from any county so drawn, should not be present, either personally or by proxy, at the time of such drawing, the county next drawn shall have preference.

## 43.

The subject matter of each and every bill and resolution shall be briefly indicated in its title by the mover; and every bill and resolution shall be properly folded, and the name of the mover legibly written at the bottom of the same, before its introduction.

## 44.

After the second reading of any senate bill of public character, the secretary shall cause not less than three hundred copies of the same to be forthwith printed for the use of the general assembly, unless already printed, and he shall furnish five copies thereof to the librarian.

HENRY C. BATES, Chairman.

The report of the committee was accepted, and the rules recommended were adopted as the rules of the senate for the present session.

Mr. Cushing offered the following resolution, which was read and adopted.

*Resolved*, That when the senate adjourns this morning it be to assemble again at two o'clock Monday afternoon, October 11th.

On motion of Mr. Swain the senate adjourned.



MONDAY, OCTOBER 11TH, 1886.

The senate convened at two o'clock in the afternoon, pursuant to adjournment.

President *pro tempore* in the chair.

Reading of the scriptures and prayer by the chaplain.

Journal of Friday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Swain,

S. 5. An act in amendment of chapter one hundred and thirty-nine of the Revised Laws relating to the admission and discharge of insane patients ;

To the committee on the insane asylum.

By Mr. Chapin,

S. 6. An act to change the line between the towns of Middlesex and Moretown ;

To the general committee.

By Mr. Hale,

S. 7. An act in amendment of section 1 of No. 12 of the act of 1884 entitled "An act relating to the repairing of highway and bridges ;"

To the committee on highway and bridges.

On motion of Mr. Valentine the senate adjourned.

TUESDAY, OCTOBER 12<sup>TH</sup>, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of Monday read and approved.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to joint resolution for joint committee to canvass votes for county and probate officers and justices of the peace.

And have concurred therein.

The house have on their part adopted a joint resolution providing for a joint special committee on state and court expenses.

In the adoption of which the concurrence of the senate is requested.

The house have appointed on their part as joint standing committee on joint rules,

Mr. Mann of Wilmington,  
Mr. Campion of East Haven,  
Mr. Ferrin of Holland.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Clark,

S. 8. An act in amendment of chapter 22 of the Revised Laws relating to taxation;

To the committee on the judiciary.

By Mr. Bates,

S. 9. An act relating to the extension of Eastern Avenue in the village of St. Johnsbury ;

To the committee on highways and bridges.

By Mr. Bailey,

S. 10. An act to amend section 266 of the Revised Laws relating to taxation ;

To the committee on land taxes.

By Mr. Bates,

S. 11. An act relating to the competency of husband and wife as witnesses ;

To the committee on the judiciary.

By Mr. Baker,

S. 12. An act to incorporate the town of Proctor ;

To a special committee consisting of

Senator Chase of Rutland,  
Smith of Washington,  
Stanley of Addison.

Mr. Swain from the committee on joint rules, made the following report :

SENATE CHAMBER, Oct. 12, 1886.

TO THE HONORABLE SENATE NOW IN SESSION ;

The committee on joint rules report that they recommend the adoption of the following as the

## JOINT RULES

OF THE

SENATE AND HOUSE OF REPRESENTATIVES.

### 1.

A joint assembly shall be formed by an union of the senate and house of representatives in the hall of the latter, at such time and for such specific purpose only as may be expressed in a concurrent resolution of both houses ; and may adjourn from time to time during the session of the general assembly. The president of the senate shall in all cases preside over, and the secretary of state, or in his absence, the secretary of the senate shall officiate as clerk ; and the rules of the senate as far as applicable shall be observed in regulating the proceedings of every joint assembly.

### 2.

The proceedings of every joint assembly including the resolution ordering the same, shall be recorded by the clerk in a book kept for that purpose which shall be preserved in the office of the secretary of state, a copy of which shall be furnished to the governor by the secretary of state, and shall also be published with the journal of the proceedings of the senate.

## 3.

At the commencement of each session the following joint standing committee, consisting of two senators and three representatives, shall be appointed by the presiding officers of the two houses respectively, to wit:

A committee on joint rules.

Also the following joint standing committees, to consist of three senators and five representatives, to wit:

- A Committee on the Library.
- A Committee on the House of Correction.
- A Committee on the Reform School.
- A Committee on Game and Fisheries.

## 4.

A joint committee of three senators and three representatives shall be appointed by the presiding officers of the two houses respectively, to whom may be referred all documents transmitted by the governor for the use of the general assembly, who shall report thereon to that house from which they were received.

## 5.

The committee of the senate and house of representatives, to whom the same subject matter shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both houses, as they may think expedient.

## 6.

In every case of disagreement between the senate and house of representatives, if either shall request a conference and appoint a committee for that purpose, and the other house shall also appoint a committee on its part, such committees shall meet at a convenient hour, to be agreed upon by their chairmen, in the conference-room, and state to each other, verbally or in writing, the reasons of each house for its vote on the subject matter of disagreement, confer freely thereon, and make a report of their doings to their respective houses as soon as may be.

## 7.

Committees of conference shall consist of an equal number from each house, and shall return the papers referred to them to that house which last voted upon the subject matter of disagreement. The report of the committee of conference cannot be amended or altered, as that of other committees may be. In all cases of conference asked after a vote of disagreement, conferees of the house asking it, are to leave the papers with the conferees of the other.

## 8.

After each house shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

## 9.

When bills and resolutions are on their passage between the two houses, they shall be verified by the attestation of the secretary or clerk of each house respectively, and all bills, after their third reading has been ordered, and before being read the third time, shall be duly engrossed, if the house in which they originated, so order; and all joint resolutions shall be fairly engrossed, after their passage, in the house in which they originated, and shall, when finally passed, be signed by the presiding officer of both houses, in the same manner as bills.

## 10.

When a bill or resolution which shall have passed one house, is rejected in the other, notice thereof shall be given to the house in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to and left in the custody of the house which first acted on them.

## 11.

Each house shall transmit to the other all papers on which any bill or resolution shall be founded; and should any bill or resolution pass both houses the same papers shall be delivered to the governor.

## 12.

No bill which shall have passed one house, shall be sent for concurrence to the other on the last day of the session.

## 13.

A two-thirds vote of all present, shall be required for the suspension of any joint rule.

A. N. SWAIN,	}	<i>Committee on the part of the senate.</i>
HENRY L. CLARK,		

H. MANN, JR.	}	<i>Committee on the part of the house</i>
WM. H. CAMPION,		
E. A. FERRIN,		

Thereupon the joint rules as reported by the committee were adopted on the part of the senate as the joint rules of the session.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That so much of the governor's message as relates to court and state expenses be referred to a joint special committee of three members of the senate and five members of the house, to be called the committee on state and court expenses.

Was read and adopted in concurrence.

The president appointed as a committee under the foregoing resolution on the part of the senate,

Senator Bates of Caledonia,  
Foster of Orleans,  
Judson of Bennington.

Mr. Cushing offered the following joint resolution ;

*Resolved by the Senate and House of Representatives,* That the committee on the part of the senate, together with the committee on the part of the house, on state prison be instructed to visit the state prison, examine into its management and sanitary condition ; also to inquire and report by bill or otherwise any needed repairs and improvements in and about the same and recommend an appropriation if any is needed.

Which was read and adopted on the part of the senate.

On motion of Mr. Baker the senate adjourned.

#### AFTERNOON.

Mr. Valentine offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That so much of the messages of retiring Governor Pingree and of Governor Ormsbee as relate to the Bennington Battle Monument be referred to a joint special committee to consist of two senators and five representatives, to be appointed by the president of the senate and speaker of the house of representatives respectively.

Which was read and adopted on the part of the senate.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part appointed the following named gentlemen as members of the

committee to canvass votes for county officers, judges of probate, and justices of the peace :

Addison county.....	Mr. Morgan of Lincoln, Purinton of Starksboro, Deane of Monkton ;
Bennington county.....	Mr. Gardner of Pownal, Millard of Stamford, Bickford of Woodford ;
Caledonia county.....	Mr. Graves of Kirby, Green of Waterford, Davis of Danville ;
Chittenden county.....	Mr. Rood of Jericho, Pratt of Milton, Parker of Westford ;
Essex County.....	Mr. Williams of Bloomfield, Bailey of Lemington, Gotham of Maidstone ;
Franklin county.....	Mr. Shedd of Franklin, Yaw of Berkshire, Perkins of Bakersfield ;
Grand Isle county.....	Mr. Hall of Isle La Motte, Hyde of North Hero, Tracy of South Hero ;
Lamoille county.....	Mr. Hinds of Hydepark, Churchill of Elmore, Stearns of Johnson ;
Orange county.....	Mr. Swan of Tunbridge, Jackson of Orange, Carter of Corinth ;
Orleans county.....	Mr. Nelson of Barton, Holton of Charleston, Simpson of Greensboro ;
Rutland county.....	Mr. Holden of Mount Holly, Risdon of Mount Tabor, Estabook of Sherburne ;
Washington county.....	Mr. Ward of Duxbury, Haylett of Moretown, Pearce of Calais ;
Windham county.....	Mr. Tyler of Vernon, Farr of Putney, Abbott of Windham ;
Windsor county.....	Mr. Taylor of West Windsor, Campbell of Rochester, Shaw of Bridgewater.

The house have also on their part appointed the following named gentlemen as members of the committee to canvass votes for members of congress :

## FIRST CONGRESSIONAL DISTRICT.

Addison county.....	Mr. Flint of Hancock, Brown of Goshen, Ketcham of Whiting;
Bennington county.....	Mr. Fuller of Winhall, Cutler of Searsburg, Landfear of Landgrove;
Chittenden county.....	Mr. Higbee of Charlotte, Roberts of Shelburne, Whalen;
Franklin county.....	Mr. Rawson of Montgomery, Brush of Fletcher, Nowland of Fairfield;
Grand Isle county.....	Mr. Reynolds of Alburgh, Tracy of South Hero, Griswold of Grand Isle;
Lamoille county.....	Mr. Bassett of Eden, Chase of Cambridge, McCuin of Belvidere;
Rutland county.....	Mr. Parker of Chittenden, Haynes of Middletown Sp'gs, Hatch of Pittsfield.

## SECOND CONGRESSIONAL DISTRICT.

Caledonia county.....	Mr. Parker of Peacham, Clifford of Newark, Warden of Barnet;
Essex county.....	Mr. Wilcox of Granby, Gilkey of Brunswick, Campion of East Haven;
Orange County.....	Mr. Carpenter of Washington, Howard of Thetford, Smith of Vershire;
Orleans county.....	Mr. Hoyt of Westfield, Alger of Brownington, Stevens of Craftsbury;
Washington county.....	Mr. Morse of Barre, Laird of Marshfield, Eaton of Waitsfield;
Windham county.....	Mr. Underwood of Townshend, Tudor of Somerset, Allbee of Brookline;
Windsor county.....	Mr. Edmunds of Stockbridge, Shepard of Royalton, Scott of Plymouth;



The president announced as the committee on the part of the senate to canvass votes for county and probate officers and for justices of the peace :

Addison county.....	Senator Stanley,
Bennington county.....	“ Judson,
Caledonia county.....	“ Bunker,
Chittenden county.....	“ Wright,
Essex county.....	“ Hale,
Franklin county.....	“ Draper,
Grand Isle county.....	“ Hall,
Lamoille county.....	“ Slayton,
Orange county.....	“ Bailey,
Orleans county.....	“ Blake,
Rutland county.....	“ Gray,
Washington county.....	“ Smith,
Windham county.....	“ Stoddard,
Windsor county.....	“ Cushing.

The president then administered the prescribed oath to the members of the canvassing committee above named.

The president also announced as the committee on the part of the senate to canvass votes for members of congress, the following named senators :

FIRST CONGRESSIONAL DISTRICT.

Addison county.....	Senator Nash,
Bennington county.....	“ Valentine,
Chittenden county.....	“ Stevens,
Franklin county.....	“ Powell,
Grand Isle county.....	“ Hall,
Lamoille county.....	“ Slayton,
Rutland county.....	“ Clark,

SECOND CONGRESSIONAL DISTRICT.

Caledonia county.....	Senator Bates,
Essex county.....	“ Hale,
Orange county.....	“ Spear,
Orleans county.....	“ Foster,
Washington county.....	“ Chapin,
Windham county.....	“ Swain,
Windsor county.....	“ Fletcher,

The president administered the prescribed oath to the members of canvassing committee, appointed to canvass votes for members of congress.

The president announced the appointment of the following joint standing committees on the part of the senate :

ON LIBRARY.

Senator Chase of Rutland,  
Bailey of Orange,  
Stanley of Addison.

## ON THE HOUSE OF CORRECTION.

Senator Pierce of Windsor,  
Wells of Chittenden,  
Gray of Rutland.

## ON THE REFORM SCHOOL.

Senator Blake of Orleans,  
Smith of Washington,  
Stevens of Chittenden.

## ON GAME AND FISHERIES.

Senator Hall of Grand Isle,  
Slayton of Lamoille,  
Cushing of Windsor.

## UNDER THE FOURTH JOINT RULE.

Senator Powell of Franklin,  
Bunker of Caledonia,  
Fletcher of Windsor.

On motion of Mr. Stoddard the senate adjourned.

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WEDNESDAY, OCTOBER 13, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Clark,

S. 13, An act to incorporate the town of West Rutland ;

To a special committee consisting of

Senator Chase,  
Smith,  
Stanley.

By Mr. Chapin,

S. 14. An act to amend section 4132 of the Revised Laws in relation to arson and burning ;

To the committee on agriculture.

By Mr. Baker,

S. 15. An act to amend section 3834 of the Revised Laws, relating to civil damage, resulting from the illegal sale of intoxicating liquor ;

To the committee on the judiciary.

By Mr. Hale,

S. 16. An act in amendment of section 3812 of the Revised Laws, relating to intoxication ;

To the committee on the judiciary.

By Mr. Cushing,

S. 17. An act relating to bridges ;

To the committee on the judiciary.

By Mr. Chapin,

S. 18. An act to protect and encourage the growth of forests ;

To the committee on agriculture.

By Mr. Bunker,

S. 19. An act relating to the election and term of office of selectmen, listers and auditors ;

To the committee on the judiciary.

By Mr. Bates,

S. 20. An act relating to the town system of schools and to repeal section 605 of the Revised Laws ;

To the committee on education.

By Mr. Nash,

S. 21. An act to restore John C. Beers to his legal rights and privileges ;

To the committee on the judiciary.

By Mr. Chapin,

S. 22. An act relating to commissioners of streets and highways ;

To the committee on highways and bridges.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered the joint report of the joint committee on joint rules and have on their part adopted the same.

The house have considered a joint resolution from the senate instructing the standing committees of the Senate and house on state prison to visit and report on the same ;

And have adopted the same in concurrence.

The house have on their part adopted a joint resolution providing for a joint assembly to hear the report of the joint committee, appointed to canvass votes for representatives in congress.

In the adoption of which the concurrence of the senate is requested.

Mr. Pierce offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the joint standing committee on the house of correction be instructed to visit said institution at Rutland, inquire into its sanitary condition and practical working and report to their respective houses by bill or otherwise.*

Which was read and adopted on the part of the senate.

Mr. Hale offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the committee on the insane asylum of the senate and the committee on insane of the house be and are hereby directed to visit the insane asylums at Brattleboro and Burlington, examine into their sanitary condition and methods of government, and report by bill or otherwise,*

Was read and adopted on the part of the senate.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly at three o'clock in the afternoon on Thursday, October 14th inst., to hear the report of the joint committee appointed to canvass votes for representatives in congress.*

Was read and adopted in concurrence.

On motion of Mr. Judson the senate adjourned.

#### AFTERNOON.

Mr. Swain offered the following resolution :

*Resolved, That at two and one-half o'clock on Tuesday afternoon, October 19th, 1886, the senate will proceed to the election of a senator of the United States, for the State of Vermont, for the full term of six years from and including the fourth day of March, A. D. 1887, and that each senator, as his name is called, name *viva voce* the person he would elect as such senator, as required by the act of congress, entitled " An act regulating the time and manner of holding elections for senators in congress," approved July 25th, 1886.*

Which was read and adopted.

Mr Chapin from the committee on highways and bridges, to which was referred a bill entitled

S. 7. An act in amendment of section one of No. 12 of the acts of 1884, entitled "An act relating to the repairing of highways and bridges ;"

Reported recommending that the bill be amended by striking out in line eight, section one, the word "twenty" and inserting in lieu thereof the word *fifteen*.

Which was agreed to.

Thereupon the bill was ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered joint resolution from the senate providing for a joint special committee on the Bennington Battle Monument.

And have adopted the same in concurrence.

The house have on their part adopted a joint resolution providing for a joint assembly to elect judges of the supreme court.

In the adoption of which the concurrence of the senate is requested.

The house have on their part appointed as joint standing committees:

ON THE LIBRARY.

Mr. Brooks of Brattleboro,  
Perley of Enosburgh,  
Chesmore of Huntington,  
Hogan of Rutland,  
Fisher of Bethel.

ON THE HOUSE OF CORRECTION.

Mr. Abell of West Haven,  
Pratt of Milton,  
Lombard of Randolph,  
Wheeler of Irasburgh,  
Arnold of Londonderry.

ON THE REFORM SCHOOL.

Mr. Hopkins of Vergennes,  
Perkins of Bakersfield,  
Sturtevant of Hartland,  
Raymond of Stowe,  
Pierce of Hinesburgh.

## ON GAME AND FISHERIES.

Mr. Fitch of Highgate,  
Pratt of Milton,  
Platt of Colchester,  
Adams of Marlboro,  
Holden of Reading.

## UNDER THE FOURTH JOINT RULE.

Mr. Randall of Glover,  
Abbott of Windham,  
Harrington of Glastenbury.

The house have on their part appointed as joint special committee

## ON STATE AND COURT EXPENSES.

Mr. Fisk of Morristown,  
Keyes of Newbury,  
Currier of Troy,  
Campbell of Rochester,  
Hoyt of Panton.

Mr. Baker offered the following resolution :

*Resolved by the Senate,* That the special committee to which was referred senate bill No. 12, entitled an act to incorporate the town of Proctor, and senate bill No. 13, entitled an act to incorporate the town of West Rutland, be authorized and directed to visit the place where it is proposed to organize said towns and hear testimony relating thereto and report to the senate, and that said committee have leave to sit during the sessions of the senate.

Which was read and adopted.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly at half-past ten o'clock in the forenoon on Thursday the 21st, day of October, 1886, for the purpose of electing a chief judge and associate judges of the supreme court.

Was read and adopted in concurrence.

On motion of Mr. Cushing the senate adjourned.

## THURSDAY, OCTOBER 14, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

**MR. PRESIDENT:**

I am directed to inform the senate that the house have considered joint resolutions from the senate as follows:

Instructing the senate committee on the insane asylum, together with house committee on the insane to visit insane asylums at Brattleboro and Burlington and report; also,

Instructing joint standing committee on the house of correction to visit the same and report;

And have adopted the same in concurrence.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Stoddard,

S. 23. An act to prevent unjust discriminations by railroad companies;

To the committee on railroads.

By Mr. Pierce,

S. 24. An act in amendment of chapter one hundred sixty-nine of the Revised Laws, and in addition thereto;

To the committee on the judiciary.

By Mr. Baker,

S. 25. An act to amend section 820 of the Revised Laws, relating to justices of the peace;

To the committee on the judiciary.

By Mr. Swain,

S. 26. An act in amendment of chapter seven of the Revised Laws, relating to the manner of conducting elections;

To the committee on elections.

By Mr. Hale,

S. 27. An act in amendment of section 563 of the Revised Laws, relating to the duties of selectmen ;

To the committee on education.

Mr. Smith moved that the senate reconsider its vote adopting in concurrence a joint resolution from the house providing for a joint assembly to elect judges of the supreme court ;

And the same was agreed to.

Mr. Smith moved that the senate propose to the house to amend the resolution by striking out in the lines four and five the words "ten o'clock in the forenoon on Thuesday the 21st," and inserting in lieu thereof the words *two o'clock in the afternoon on Wednesday the 20th* ;

Which was agreed to.

Thereupon the resolution was adopted in concurrence with proposal of amendment.

A bill entitled

S. 7. An act in amendment of section one of No. 12, of the acts of 1884, entitled an act relating to the repairing of highways and bridges ;

Was read the third time and passed.

President *pro tempore* in the chair.

On motion of Mr. Fletcher the senate adjourned.

#### AFTERNOON.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to joint resolution providing for joint assembly to elect judges of the supreme court ;

And have concurred therein.

The house have on their part adopted a joint resolution providing for a joint assembly to hear the report of the canvassing committee appointed to canvass votes for county and probate officers and justices of the peace.



In the adoption of which the concurrence of the senate is requested.  
A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the senate and house of representatives meet in joint assembly on Friday, October 15th, at eleven o'clock A. M. to hear the report of the canvassing committee appointed to canvass votes for county and probate officers and justices of the peace ;*

Was read and adopted in concurrence.

Mr. Blake introduced a bill entitled

S. 28. An act to pay George W. Jenness the sum therein named ;

Which was read the first and second times and referred to the committee on claims.

The hour having arrived for a meeting of the two houses in joint assembly the senate repaired to the hall of the house.

Having returned therefrom on motion of Mr. Wells the senate adjourned.

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FRIDAY, OCTOBER, 15, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Baker,

S. 29. An act to prevent the spreading of contagious diseases and to establish a state board of health ;

To the general committee.

By Mr. Bailey,

S. 30. An act incorporating the Wells River graded school district ;

To the committee on education.

By Mr. Foster,

S. 31. An act to punish false pretences in obtaining certificates of registration of cattle and other animals ;

To the committee on agriculture.

By Mr. Spear,

S. 32. An act to exempt certain property from taxation ;

To the committee on the grand list.

By Mr. Spear, (by request)

S. 33. An act in addition to chapter 162 of the Revised Laws, entitled " Insurance Companies ;"

To the general committee.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed a bill entitled

H. 5. An act to incorporate the Burlington Cancer Relief Association ;

In the passage of which the concurrence of the senate is requested.

Mr. Baker offered the following resolution :

*Resolved*, That so much of the message of retiring Governor Pingree as relates to the small pox epidemic, be referred to the general committee, and that said committee report to the senate thereon by bill or otherwise ;

Which was read and adopted.

A house bill entitled

H. 5. An act to incorporate the Burlington Cancer Relief Association ;

Was read the first and second times, and referred to the general committee.

Mr. Bunker presented the petition of Jennie L. Ingalls and 83 others, praying for a law extending suffrage to women in all municipal elections ;

Which was read and referred to the committee on elections.

Mr. Blake offered the following joint resolution :

*Resolved by the Senate and House of Representatives*, That the joint standing committee on the reform school be instructed to visit said school at Vergennes, inquire into its reformatory methods, its sanitary conditions and its practical workings and report to their several houses by bill or otherwise ;

Which was read and adopted on the part of the senate.

Mr. Baker offered the following resolution :

*Resolved*, That when the senate adjourns this afternoon it be to meet at two o'clock on Monday, October 18th.

Mr. Bates moved to amend the resolution by striking out the words "this afternoon";

Which was agreed to.

Thereupon the resolution was adopted as amended.

The hour having arrived for a meeting of the two houses in joint assembly, the senate repaired to the hall of the house of representatives.

Having returned therefrom, Senator Fletcher was called to the chair.

Mr. Blake offered the following resolution :

*Resolved by the Senate,* That so much of the governor's message as relates to intemperance and such bills as refer to the said subject be referred to a special committee of three senators who shall be appointed by the president of the senate ;

Was read and adopted.

On motion of Mr. Pierce the senate adjourned.

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MONDAY, OCTOBER 18, 1886.

The senate convened at two o'clock in the afternoon pursuant to adjournment.

Reading of scriptures and prayer by the chaplain.

Journal of Friday read and approved.

Mr. Baker from the committee on the judiciary to which was referred a bill entitled ;

S. 2. An act to amend section 382 of the Revised Laws, relating to the collection of taxes ;

Reported recommending that the bill be amended by inserting the sign for section (§§) in the parenthesis in the fourth line of section one before the figures "382";

Also that the bill be further amended by adding to section one the following : *including all highway tax-bills, and the treasurer shall*

*keep separate accounts of all moneys received on highway taxes, and pay out the same for highway purposes on the orders of the selectmen or street commissioners;*

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered joint resolution from the senate relating to a visit to the reform school by the joint standing committee on the same ;

And have adopted the same in concurrence.

The house have passed a bill entitled

H. 63. An act to empower the village of West Randolph to bring water into said village and to issue bonds for that purpose.

In the passage of which the concurrence of the senate is requested.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Cushing,

S. 34. An act authorizing and requiring towns to furnish text-books for the use of schools ;

To the committee on education.

By Mr. Wright,

S. 35. An act to pay L. A. Drew the sum therein named ;

To the committee on claims.

On motion of Mr. Bates the senate adjourned.

TUESDAY, OCTOBER, 19, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution providing for a joint assembly to complete the election of United States senator ;

In the adoption of which the concurrence of the senate is requested.

Mr. Stanley offered the following preamble and joint resolution :

*Whereas*, it being true that our valuable public lands in vast tracts are passing into the possession of aliens, which promises to ultimate at no distant day in a dangerous land monopoly, and a species of tenancy akin to that of Ireland and wholly at variance with the spirit and policy of American institutions ;

Therefore, *Be it resolved by the Senate and House of Representatives*, That our senators and representatives in congress be and are hereby requested to give their early and earnest attention to this subject and labor for such legislation in the premises as will arrest the evil and be for the best interests of the American citizen.

*Resolved*, That the secretary of state be directed to furnish a copy of these resolutions to each of the senators and representatives in congress from this state ;

Which was read.

Thereupon on motion of Mr. Stanley the resolution was *ordered to lie*.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Valentine,

S. 36. An act to establish an uniformity throughout the state of text-books to be used in the public schools ;

To the committee on education.

By Mr. Gray,

S. 37. An act to pay M. E. Wheeler the sum therein named ;

To the committee on claims.

By Mr. Hale,

S. 38. An act relating to free text books in public schools ;  
To the committee on education.

A joint resolution from the house as follows :

*Resolved by the Senat and House of Representatives,* That the two houses meet in joint assembly in the hall of the house of representatives, at twelve o'clock noon on Wednesday, the 20th day of October, instant, for the purpose of completing the election of senator of the United States for the state of Vermont for the full term of six years, from and including the fourth day of March, A. D. 1887, as required by the act of congress, entitled an act regulating the time and manner of holding elections for senators in congress, approved July 25, 1886.

Was read and adopted in concurrence.

A house bill entitled

H. 63. An act to empower the village of West Randolph to bring water into said village and to issue bonds for that purpose ;

Was read the first and second times and referred to the general committee.

A bill entitled

S. 2. An act to amend section 382 of the Revised Laws relating to collection of taxes ;

Was read the third time and passed.

Senator Baker in the chair.

On motion of Mr. Swain the senate adjourned.

#### AFTERNOON.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 12. An act to provide for an appearance in behalf of the State in divorce cases ;

H. 14. An act to amend section 510 of the Revised Laws ;

H. 45. An act amending section one of act No. 60 of the acts of 1884 ;

H. 56. An act to incorporate the Bethel graded school district ;  
In the passage of which the concurrence of the senate is requested.

The president announced as the special committee under a resolution relating to temperance legislation and kindred matters,

Senator Blake,  
Hale,  
Hall.

Mr. Baker moved that bills of the following titles :

S. 15. An act to amend section 3834 of the Revised Laws, relating to civil damage resulting from the illegal sale of intoxicating liquor ;

S. 16. An act in amendment of section 3812 of the Revised Laws, relating to intoxication ;

S. 24. An act in amendment of chapter one hundred sixty nine of the Revised Laws and in addition thereto ;

Be recalled from the committee on the judiciary, and re-referred to the special committee on temperance legislation ;

Which was agreed to.

Mr. Bates introduced a bill entitled

S. 39. An act to incorporate the St. Johnsbury Savings Bank and Trust Company ;

Which was read the first and second times and referred to the committee on banks.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 12. An act to provide for an appearance in behalf of the state in divorce cases ;

To the committee on the judiciary.

H. 14. An act to amend section 510 of the Revised Laws ;

To the general committee.

H. 45. An act amending section one of act No. 60 of the acts of 1884 ;

To the committee on the judiciary,

H. 56. An act to incorporate the Bethel graded school district ;

To the committee on education.

At the hour of two and one-half o'clock the president announced that pursuant to the act of congress approved July 25th, A. D. 1886, and agreeably to a resolution of the senate, the senate would now proceed to vote for such person as they would elect to the office of senator to represent this state in the congress of the United States for the full term of six years from and including the 4th day of March A. D. 1887.

Whereupon each senator, as his name was called by the secretary, arose in his place and voted *viva voce* as follows :

For GEORGE F. EDMUNDS of Burlington.

Mr. Bailey,  
Baker,  
Bates,  
Blake,  
Bunker,  
Chapin,  
Chase,  
Clark,  
Cushing,  
Draper,  
Fletcher,  
Foster,  
Gray,  
Hale,  
Hall,

Mr. Judson,  
Marsh,  
Nash,  
Pierce,  
Slayton,  
Smith,  
Spear,  
Stanley,  
Stevens,  
Stoddard,  
Swain,  
Valentine,  
Wells,  
Wright—29.

For W. H. H. BINGHAM of Stowe.

Mr. Powell—1.

Whereupon the president declared that George F. Edmunds had received a majority of all the votes cast in the senate, for the office of senator to represent this state in the congress of the United States for the full term of six years from and including the fourth day of March A. D. 1887.

On motion of Mr. Baker the senate took a recess for thirty minutes.

At the expiration of the recess the president resumed the chair.

On motion of Mr. Bunker the senate adjourned.

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WEDNESDAY, OCTOBER 20, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

The president appointed as the special committee on the part of the senate under a joint resolution, relating to the Bennington Battle Monument

Senator Wright,  
Bailey.



Mr. Judson offered the following resolution which was read and adopted :

*Resolved*, That so much of the governor's message as relates to the arms of the militia of the state be referred to the committee on military affairs.

Mr. Stoddard introduced a bill entitled

S. 40. An act regulating the running of railroad trains on Sunday ;

Which was read the first and second times and referred to the committee on railroads.

Mr. Stanley called from the table a joint resolution relating to alien holdings in the United States.

Thereupon the resolution was adopted on the part of the senate.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 5. An act to incorporate the Burlington Cancer Relief Association ;

Reported recommending that the bill be passed in concurrence.

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Valentine from the general committee to which was referred a house bill entitled

H. 63. An act to empower the village of West Randolph to bring water into said village and to issue bonds for that purpose ;

Reported recommending that the bill be passed in concurrence.

Mr. Baker moved that the bill be *ordered* to lie,

And the same was agreed to.

Mr. Bailey moved that the senate take a recess for twenty minutes ;

Which was agreed to.

At the expiration of the recess the president resumed the chair.

A house bill entitled

H. 63. An act to empower the village of West Randolph to bring water into said village and to issue bonds for that purpose ;

Was taken up.

Thereupon on motion of Mr. Baker the bill was ordered to be re-committed to the general committee.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted joint resolutions as follows :

Joint resolution granting the use of representatives hall to the Vermont Officers' Reunion Society ;

Joint resolution providing for a joint assembly to elect state officers ;

In the adoption of which the concurrence of the senate is requested.

The house have on their part appointed as joint special committee on the Bennington Battle Monument :

Mr. Butterfield of Grafton,  
Randall of Glover,  
Viall of Dorset,  
Denison of Pittsford,  
Ward of Duxbury.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the use of the hall of the house of representatives be granted to the Vermont Officers' Reunion Society on Wednesday evening, November 3d, for the purpose of holding a meeting to hear an address by General Francis A. Walker, of Massachusetts ;

Was read and adopted in concurrence.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly at half past two o'clock in the afternoon on Thursday, the 28th day of October, A. D., 1886, for the election of sergeant-at-arms, brigade commander, adjutant and inspector-general, quarter master-general, judge-advocate-general, three supervisors of the insane, state superintendent of education, and three trustees of the Vermont reform school ;

Was read and on motion of Mr. Bates ordered to lie and be made the special order for this afternoon at two o'clock.

The hour having arrived for the meeting of the two houses in joint assembly, for the completion of the election of United States senator, the senate repaired to the hall of the house.

Having returned therefrom, on motion of Mr. Valentine the senate adjourned.

## AFTERNOON.

A joint resolution from the house providing for a joint assembly to elect state officers ;

Was taken up as a special order.

Thereupon Mr. Bates moved that the senate propose to the house to amend the resolution as follows :

*First*, by striking out the words "28th day of October" and inserting in lieu thereof the words *4th day of November*.

*Second*, by adding the words. *three trustees of the University of Vermont and State Agricultural College to serve for the period of six years from and including December 1st, 1887 ;*

Which proposals of amendment were severally agreed to.

Whereupon the resolution was adopted in concurrence with proposals of amendment.

The hour having arrived for the meeting of the two houses in joint assembly the senate repaired to the hall of the house.

Having returned therefrom,

Mr. Wells from the committee on the judiciary to which was referred a bill entitled

S. 17. An act relating to bridges ;

Reported adversely to the passage of the same.

Thereupon on motion of Mr. Pierce, the bill was ordered to lie.

Mr. Smith from the committee on manufactures to which was referred a bill entitled

S. 3. An act relating to the Burlington Gas Light Company ;

Reported in favor of the passage of the bill when amended as follows :

*First*, By inserting after the word, "thereby" in line twelve, section one, the words *subject to the ordinances of the city of Burlington and the rights of the town of Colchester*.

*Second*, By striking out of lines eighteen and nineteen, section one, the words "and such other stock as said company may deem advisable."

Which proposals of amendment were severally agreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning.

On motion of Mr. Hale the senate adjourned.

THURSDAY, OCTOBER 21, 1886.

Reading of the scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Mr. Cushing (by request) introduced a bill entitled

S. 41. An act in amendment of and in addition to section 3878 of the Revised Laws relating to the preservation of fish ;

Which was read the first and second times and referred to the joint committee on game and fisheries.

A bill entitled

S. 3. An act relating to the Burlington Gas Light Company ;

Was read the third time and passed.

A house bill entitled

H. 5. An act to incorporate the Burlington Cancer Relief Association ;

Was read the third time and passed in concurrence.

Mr. Bunker from the committee on education to which was referred a house bill entitled

H. 56. An act to incorporate the Bethel graded school district ;

Reported recommending that the bill be passed in concurrence.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Upon motion of Mr. Judson the senate adjourned.

AFTERNOON.

Petitions praying for a law extending suffrage to women in all municipal elections, as follows :

Were presented and referred to the committee on elections :

By Mr. Baker,

Petition of Mrs. A. S. Baker and one hundred five others, citizens of Danby ;

By Mr. Fletcher,

Petition of Sarah Sargent and three hundred five others, citizens of Bridgewater :

Mr. Clark from the committee on claims to which was referred a bill entitled

S. 37. An act to pay M. E. Wheeler the sum therein named ;

Reported recommending that the bill be passed.

Whereupon the bill was ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered a joint resolution from the senate relating to alien holdings in the United States ;

And have adopted the same in concurrence.

The house have considered senate proposals of amendment to joint resolution providing for a joint assembly to elect state officers ;

And have concurred therein.

The house have passed bills of the following titles :

H. 22. An act in amendment of section 4110 of the Revised Laws ;

H. 24. An act in relation to pleading and practice in cases involving the validity of taxes ;

H. 98. An act to legalize the grand lists of the town of Ferrisburgh for the years 1880, 1881, 1882, 1883, 1884, 1885 and 1886 ;

In the passage of which the concurrence of the senate is requested.

Mr. Bunker from the committee on education to which was referred a bill entitled

S. 30. An act incorporating the Wells River graded school district ;

Reported recommending that the bill be amended by striking out section three and inserting in lieu thereof the following ;

SEC. 3. The present officers of said district shall hold and exercise their respective offices, with their present powers, until a new election shall have been held as provided by law ;

Which was agreed to.

Thereupon the bill was ordered to be read the third time, read the third time and passed.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 22. An act in amendment of section 4110 of the Revised Laws ;

To the committee on the judiciary.

H. 24. An act in relation to pleading and practice in cases involving the validity of taxes ;

To the committee on the judiciary.

H. 98. An act to legalize the grand lists of the town of Ferrisburgh for the years 1880, 1881, 1882, 1883, 1884, 1885 and 1886.

To the committee on the grand list.

On motion of Mr. Spear the senate adjourned.

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FRIDAY, OCTOBER 22, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Mr. Valentine offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the state librarian is hereby directed to furnish each member of the senate and house of representatives with a copy of the history of the celebration of the centennial anniversary of the independence of the state of Vermont and the battle of Bennington, August 15 and 16, 1877, which was published in the year 1879, at the expense of the state, and is now deposited in the state library ;

Which was read and adopted on the part of the senate.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Baker,

S. 42. An act relating to process and pleadings in actions at law ;

To the committee on the judiciary.

By Mr. Hall,

S. 43. An act to amend sections eight and ten of No. 239 approved November 25, 1884, relating to the bridge from North Hero to Alburgh ;

S. 44. An act relating to the construction of a bridge from North Hero to Alburgh ;

To the committee on highway and bridges.

Mr. Blake presented the petition of Abigail Chandler and 204 others, citizens of Barton, asking for the passage of a law granting to women the right of suffrage in municipal elections ;

And the same was referred to the committee on elections.

Mr. Swain offered the following joint resolution :

Whereas, many union soldiers, prisoners of war, were confined in Libby, Andersonville and other southern prisons during the late war of the rebellion and by reason of said imprisonment and consequent suffering the general health and system of those who survive said imprisonment were greatly impaired and from which they are still suffering in broken health and vital power ;

And whereas, it is but simple justice to those deserving and patriotic men that their strong claim to the sympathy of the country should receive such recognition as their merit, suffering and patriotic services demand ;

*Therefore, be it resolved by the General Assembly of the State of Vermont, That the senators and representatives in congress from the state of Vermont, are hereby requested to use their influence in the congress of the United States to procure the passage of an act granting pensions to those surviving soldiers, prisoners of war, confined in southern prisons as recited above ;*

*Resolved, That the secretary of state be and he is hereby requested to transmit to each of the senators and representatives in congress from Vermont, a copy of these resolutions ;*

Which was read and adopted on the part of the senate.

A bill entitled

S. 37. An act to pay M. E. Wheeler the sum therein named ;

Was read the third time and passed.

Mr. Valentine from the general committee to which was referred a house bill entitled

H. 63. An act to empower the village of West Randolph to bring water into said village and to issue bonds for that purpose ;

Reported recommending that the bill be passed in concurrence with proposal of amendment as follows :

First, By inserting in line six, section six, after the word "thereunder" the words, *to have and to hold the same for the purpose of supplying the inhabitants of said village with water for fire, domestic and other purposes.*

Second, By striking out in line eight, section six, the words, "shall upon such lease, disposal or sale" and inserting in lieu thereof the words, *upon such lease, disposal or sale shall for said purpose only ;*

Which proposals of amendment were severally agreed to.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

Mr. Baker from the committee on the judiciary to which was referred a bill entitled

S. 19. An act relating to the election and term of office of selectmen, listers and auditors ;

Reported in favor of the passage of the bill when amended by striking out section four.

Pending the question, will the senate agree to the proposed amendment,

On motion of Mr. Baker the bill was *ordered to lie* and be made the special order for Thursday next at two o'clock in the afternoon.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 14. An act to amend section 510 of the Revised Laws ;

Reported adversely to the passage of the bill.

Thereupon the third reading of the bill was refused.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have adopted the following resolution :

*Whereas*, In the wise providence of God, we are called upon to mourn the death of Boardman F. Stafford, Esq., the representative from the town of Wallingford ;

*Resolved*, That by the decease of Mr. Stafford, the house of representatives has lost a worthy, honored, and respected member, and the State an exemplary, honest, upright and useful citizen, and we tender to his family and friends our sincere sympathy and condolence ;

*Resolved*, That a committee consisting of four members of this house be appointed by the speaker to accompany the remains of the deceased to his late home in Wallingford ;

*Resolved*, That these resolutions be entered upon the journal of the house and that the clerk be directed to transmit a certified copy thereof to the widow of the deceased ;

*Resolved*, That the clerk be directed to communicate a copy of these resolutions to the senate, and that, as a further mark of respect to the memory of the deceased, the house do now adjourn.

Mr. Baker offered the following resolution :

*Whereas*, it has been announced to the senate that Boardman F. Stafford, a representative from the town of Wallingford, in the other branch of the general assembly, has been removed, by death, from his duties and service for the state and his constituency ;

*Therefore be it resolved*, That the senate have heard with deep regret the announcement of the death of Boardman F. Stafford, a member of the house representatives, from the town of Wallingford, and as a testimonial of respect for his memory, do now adjourn until two o'clock Monday afternoon, October 25th.

Which was read and adopted and the senate was declared adjourned.



MONDAY, OCTOBER 25<sup>TH</sup>, 1886.

The senate convened at two o'clock in the afternoon pursuant to adjournment.

Reading of the scriptures and prayer by the chaplain.

Journal of Friday read and approved.

Mr. Valentine offered the following resolution which was read and adopted :

*Resolved*, That the superintendent of education be requested to furnish the senate with an official copy of the report of the superintendent of schools for the town of Hartford, for the year 1884, or so much of the same as relates to the use of text-books.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Stevens,

S. 45. An act to pay L. K. Barnes the sum therein named ;

To the committee on claims.

By Mr. Bates,

S. 46. An act to create a board of railroad commissioners and define their duties ;

To the committee on railroads.

S. 47. An act relating to the discharge of persons imprisoned in bastardy cases ;

To the committee on the judiciary.

On motion of Mr. Baker the senate adjourned.

TUESDAY, OCTOBER 26<sup>TH</sup>, 1886.

Reading of the scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Wells,

S. 48. An act appropriating a certain sum for the soldiers' home of Vermont ;

To the committee on military affairs.

By Mr. Pierce,

S. 49. An act to amend section 571 of the Revised Laws, relating to graded schools ;

To the committee on education.

By Mr. Judson,

S. 50. An act relating to the repairing of highways and bridges ;

To the committee on highways and bridges.

By Mr. Baker,

S. 51. An act to amend sections 1390 and 1699 of the Revised Laws, relating to exceptions in criminal cases ;

To the committee on the judiciary.

By Mr. Bates,

S. 52. An act fixing the salary of supreme court judges and amending section 792 of the Revised Laws ;

To the committee on the judiciary.

By Mr. Wells,

S. 53. An act providing for the construction of a jail, keeper's dwelling and a barn, in the county of Chittenden ;

To a special committee consisting of the senators from Chittenden county.

By Mr. Blake,

S. 54. An act in amendment of section 3953 of the Revised Laws, relating to pedlers' licenses ;

To the general committee.

By Mr. Wells,

S. 55. An act to prevent persons from unlawfully using or wearing the badge of the grand army of the republic, of this state ;

To the committee on military affairs.

Mr. Valentine offered the following joint resolution :

*It is hereby resolved by the Senate and House of Representatives,* That four suitable persons be appointed by the governor who, with the state superintendent of education, shall constitute a committee of five to inquire into the system of normal school instruction, under the patronage of the state and report to the governor before the meeting of the legislature in 1888, as to the discontinuance of the present system after August, 1890, the desirability of establishing one state normal school owned and controlled by the state, and in connection therewith the practicability of normal school instruction connected with a graded school in each county in the state, the expenses of such committee to be paid by the state, not to exceed one hundred and fifty dollars ;

Which was read and referred to the committee on education.

Petitions asking for the passage of a law granting suffrage to women in municipal elections,

Were presented and referred as follows :

By Mr. Bunker,

Petition of Mabel Hall Walton and nineteen others, citizens of Lyndon ;

By Mr. Bates,

Petition of Mrs. Holsey M. Bulluck and eighty-nine others, citizens of Lyndon ;

By Mr. Bates,

Petition of ten pastors of churches in Caledonia county ;

To the committee on elections.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution directing the auditor of accounts to furnish statements as to salaries and expenses of certain state officers;

In the adoption of which the concurrence of the senate is requested.

The house have considered joint resolutions from the senate as follows :

Joint resolution relating to pensions for survivors of prisons during the late rebellion ;

Joint resolution directing the state librarian to furnish members of the general assembly with copies of the history of the Bennington centennial celebration ;

And have adopted the same in concurrence.

The house have considered senate proposals of amendment to house bill entitled

H. 63. An act to empower the village of West Randolph to bring water into said village and to issue bonds for that purpose ;

And have concurred therein.

The house have considered senate bill entitled

S. 3. An act relating to the Burlington Gas Light Company ;

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 72. An act authorizing fire district No. 1 of the town of Brandon to fund its present indebtedness ;

H. 83. An act to amend section 3184 of the Revised Laws, relating to fences ;

H. 90. An act to authorize the construction of a bridge from Grand Isle to North Hero ;

H. 96. An act in amendment of an act approved November 9, 1876, relating to the city of Burlington ;

H. 100. An act to enable school district number three, in Windsor, to issue its bonds for the purpose of funding its indebtedness ;

H. 106. An act in amendment of and in addition to an act entitled "an act providing for the re-issuing of warrants for the collection of taxes in certain cases" approved November 29th, 1882 ;

H. 113. An act in amendment of section 1 of an act entitled an act to prevent fishing in the waters of Lake Bomoseen in the town of Castleton and Hubbardton, approved November 28th, 1882 ;

In the passage of which the concurrence of the senate is requested.

The house have on their part adopted a joint resolution providing for a visit of the general assembly to the bridge between North Hero and Alburgh ;

In the adoption of which the concurrence of the senate is requested.

Mr. Bunker presented the petition of C. M. Chase and forty-one others, citizens of Lyndon, praying for a law for the better protection of women ;

Which was read and referred to the committee on the judiciary.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 72. An act authorizing fire district No. 1 of the town of Brandon to fund its present indebtedness ;

To the general committee.

H. 83. An act to amend section 3184 of the Revised Laws, relating to fences ;

To the committee on agriculture.

H. 90. An act to authorize the construction of a bridge from Grand Isle to North Hero ;

To the committee on highways and bridges.

H. 96. An act in amendment of an act approved November 9th, 1876, relating to the city of Burlington ;

H. 100. An act to enable school district No. 3 in Windsor, to issue its bonds for the purpose of funding its indebtedness ;

To the general committee.

H. 106. An act in amendment of and in addition to an act entitled an act providing for the re-issuing of warrants for the collection of taxes in certain cases, approved November 29th, 1882 ;

To the committee on the judiciary.

H. 113. An act in amendment of section one of an act entitled an act to prevent fishing in the waters of Lake Bomoseen in the towns of Castleton and Hubbardton, approved November 28th 1882 ;

To the joint committee on game and fisheries.

The president laid before the senate the following communication from Hon. Justus Dartt, state superintendent of education, with the accompanying document.

Which was read and on motion of Mr. Valentine ordered to lie and the secretary directed to procure the printing of the usual number of copies for the use of the general assembly.

#### TO THE PRESIDENT OF THE SENATE :

SIR:— In compliance with a resolution adopted by the senate, I have the honor to transmit herewith a copy of the full report of N. W. White, superintendent of schools in the town of Hartford for the year 1883-4, and have marked therein those portions relating to the use of text-books in said town.

Very respectfully,

JUSTUS DARTT,

Superintendent of Education.

#### TO THE CITIZENS OF HARTFORD :

In reviewing the work of the schools for the year just closed, we feel confident in asserting that there has been a marked degree of improvement over previous years.

In regard to text-books we have to report as follows : Total amount paid for books, including all expenses except the care of the books, \$1,014.00, less \$9.50 for books sold and credit given in the superintendent's bill, leaving \$1,004.50 as the actual outlay for books for the five years. Included in the item of \$9.50 may be mentioned a book sold to Arthur Hazen which he has not paid for, and which he can explain if he chooses to do so.

In taking an inventory of stock on hand we find in the several districts 1,054 books which we have designated good, and in the hands of the superintendent 112 new books that have not been used; total, 1,166, which, estimated to be worth half price, (and they are worth that for use,) equals \$344.21. But we suppose that the exchange value will be less than half price, or \$229.47. Now the total cost, less \$229.47, estimated exchange value of books on hand—give us \$775.03 as the actual expense of books for five years. We have in town for the winter term 477 pupils, which makes the cost per pupil for the whole time \$1.63.

In addition to the above we find 986 books which we have designated *poor*, and have made no estimate of them, yet they are not worthless; they can be used a term or two, and some of them more. Whether they would be worth anything to exchange we cannot tell, not knowing the limit at which they cease to have any exchange value. We suspect that there are a few books that have been carried away from the school-houses, which we have not found.

It is due to say that in schools which have been well governed the books have been well used, and subject only to the natural wear, but in some other cases the books have been shamefully abused, treated as playthings that cost nothing. Pupils have been known to mutilate their books as an excuse to sit with some other pupil, saying that the lesson was not in their book.

It has cost nearly as much to keep up the supply of books in some schools of from twenty to forty pupils as it has in another of one hundred and twenty pupils. It is well known that in some schools the school property is cut, hacked, and damaged without regard to ownership, cost or decency. The school-books do not escape the same treatment. Yet the solution of this problem, like that of school government, generally depends largely upon home government. Pupils who will wantonly mar and deface public property will be no more scrupulous in regard to private property; so that teachers, however well qualified, cannot fully control this matter, and therefore cannot be held fully responsible. We shall live many years yet before we see all wrongs righted.

We believe in the propriety of *free books*. All other expenses for the maintenance of public schools are supplied by taxation; why not this? We call the school *common*. Why not make it so by supplying every facility for securing the end we seek—that is, the *education* of our children? Justice itself demands that *all* of the means of instruction be as *free* as the atmosphere in which we live. We build school-houses and furnish them; we pay for instructors at public expense, and there is no valid reason why school-books should be an exception, but every reason of propriety, convenience and *economy* in its favor. Many pupils attend the schools now who would have no school advantages but for free books. We have in some of our schools bright pupils who are ornaments to their classes and a pride to our common school system, who would hardly have been in school at all but for free books. Others remain longer in school, thereby securing

more of its benefits and become better fitted for citizenship, and better furnished for the conflict of life.

The convenience of free books may be briefly summed up : it secures uniformity ; the rich and poor alike are supplied ; the sense of pride is not appealed to by a humiliating dependence upon charity ; a proper classification for the advantage of both teacher and pupil is more easily secured ; much time and annoyance is saved to the school ; and the books are under control of superintendent and teacher. How can you supply your children with books for five years for \$1.63 ? One geography will cost you nearly that sum. We ask your careful attention to the figures given in this connection. If we estimate the books on hand at what they are worth for actual service, some of them new, and many more as good as new to put in the hands of pupils, the cost per pupil is reduced to about one dollar, a result far more favorable than we expected was possible. It will cost more than that yearly for the pupils to supply themselves.

Respectfully submitted,

N. W. WHITE, Superintendent.

Hartford, Vt., Feb. 25, 1884.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That when the two houses adjourn Wednesday the 27th instant, it shall be to meet on Friday morning the 29th instant, at ten o'clock, in order to enable the members thereof to visit and inspect the bridge from North Hero to Alburgh, and that a committee of two senators and three representatives be appointed by the president of the senate and speaker of the house respectively, to make proper arrangements with the managers of the Central Vermont Railroad Company, for transportation, provided that such transportation shall be without expense to the state ;

Was read.

The question being will the senate adopt the same in concurrence ? it was decided in the negative,

Yeas, 14 ; nays, 15.

Mr. Pierce having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in affirmative are Messrs.

Bailey,	Draper,	Smith,
Bates,	Hale,	Slayton,
Chapin,	Hall,	Valentine,
Clark,	Judson,	Wright—14.
Cushing,	Nash,	

Those senators who voted in the negative are Messrs.

Baker,	Foster,	Stanley,
Blake,	Gray,	Stevens,
Bunker,	Pierce,	Stoddard,
Chase,	Powell,	Swain,
Fletcher,	Spear,	Wells—15.

So the senate refused to adopt the resolution in concurrence.

On motion of Mr. Pierce the senate adjourned.

## AFTERNOON.

Mr. Blake, from the special committee on temperance legislation to which was referred a bill entitled

S. 16. An act in amendment of section 3812, of the Revised Laws, relating to intoxication ;

Reported recommending that the bill be passed when amended as follows :

By striking out in lines four and five of section one the words, "under the influence of intoxicating liquor," and inserting in lieu thereof the word *intoxicated* ;

Which proposal of amendment was agreed to.

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Hale from the special committee on temperance legislation to which was referred a bill entitled

S. 15. An act to amend section 3834 of the Revised Laws, relating to civil damage resulting from the illegal sale of intoxicating liquor ;

Reported in favor of the passage of the bill when amended as follows :

By striking out section two, and renumbering section three, section two ;

Which was agreed to.

Thereupon on motion of Mr. Bates the bill was ordered to lie and be made the special order for to-morrow afternoon at two o'clock.

Mr. Hale from the committee on the judiciary to which was referred a house bill entitled

H. 45. An act amending section one of act No. 60 of the acts of 1884 ;

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Wells from the committee on the judiciary to which was referred a house bill entitled

H. 24. An act in relation to pleading and practice in cases involving the validity of taxes ;

Reported adversely to the passage of the bill in concurrence.

Thereupon the third reading of the bill was refused.



Mr. Chapin from the committee on highways and bridges to which was referred a bill entitled

S. 9. An act relating to the extension of Eastern Avenue in the village of St. Johnsbury;

Reported adversely to the passage of the bill.

Thereupon on motion of Mr. Bates the bill was ordered to lie.

Mr. Wells moved that the senate re-consider its vote refusing to adopt in concurrence a joint resolution providing for a visit of the general assembly to the bridge between North Hero and Alburgh;

And the same was agreed to.

The question being will the senate adopt the resolution in concurrence,

It was decided in the affirmative.

Yeas, 20; nays, 8.

Mr. Baker having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bailey,	Draper,	Smith,
Baker,	Gray,	Slayton,
Bates,	Hale,	Stevens,
Bunker,	Hall,	Valentine
Chapin,	Judson,	Wells,
Clark,	Marsh,	Wright—20.
Cushing,	Nash,	

Those who voted in the negative are Messrs.

Blake,	Foster,	Stoddard,
Chase,	Pierce,	Swain—8.
Fletcher,	Powell,	

So the resolution was adopted in concurrence.

Mr. Hale introduced a bill entitled

S. 56. An act to legalize the grand list of the town of Bloomfield for the year 1885:

Which was read the first and second times and referred to the committee on the grand list.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the house that the senate have on their part appointed as the committee to make arrangements to visit the bridge from North Hero to Alburgh,

Mr. Reynolds of Alburgh,  
Curtis of Lowell,  
Whalen of Bolton.

The president announced as the committee on the part of the senate to make arrangements to visit the bridge from North Hero to Alburgh,

Senator Valentine,  
Bunker,

On motion of Mr. Swain the senate adjourned.

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WEDNESDAY, OCTOBER 27TH, 1886.

Reading of the scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Pierce,

S. 57. An act giving women the right to vote in certain meetings ;

To the committee on elections.

By Mr. Valentine,

S. 58. An act to pay B. Agnes Collins the sum therein named ;

To the committee on claims.

By Mr. Baker,

S. 59. An act to amend section 531 of the Revised Laws relating to school-houses ;

To the committee on education.

By Mr. Hale,

S. 60. An act in amendment of sections 1763, 1765, 1766 of the Revised Laws, relating to the chancering of bonds in liquor cases ;

To the committee on the judiciary.

A bill entitled

S. 16. An act in amendment of section 3812 of the Revised Laws, relating to intoxication ;

Was read the third time and, on motion of Mr. Bates, ordered to lie.

A house bill entitled

H. 45. An act amending section one of act No. 60 of the acts of 1884 ;

Was read the third time and passed in concurrence.

Mr. Slayton, from the committee on agriculture, to which was referred a bill entitled

S. 31. An act to punish false pretences in obtaining certificates of registration of cattle and other animals ;

Reported in favor of the passage of the bill.

Thereupon the bill was ordered to be read the third time Friday morning.

Mr. Blake, from the committee on the judiciary, to which was referred a house bill entitled

H. 22. An act in amendment of section 4110 of the Revised Laws ;

Reported recommending that the bill be passed in concurrence with proposals of amendment as follows :

*First*, by inserting after the word "person" in line four, section one, the words, *over the age of sixteen years* ;

*Second*, by striking out the first word "at" in line six, section one, and inserting in lieu thereof the word *of* ;

*Third*, by striking out section two and inserting in lieu thereof the following :

SECTION 2. If any person under the age of sixteen years shall carnally know any female under the age of fourteen years with her consent, both persons so offending shall be deemed guilty of a misdemeanor and may be committed to the reform school, and any person under the age of sixteen years, who by force and against her will, carnally knows any female shall on conviction thereof be punished as provided in the first section of this act;

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time Friday morning.

Mr. Blake moved that the bill be printed as amended ;

And the same was agreed to.

Mr. Stoddard in the chair.

Mr. Chapin, from the committee on highways and bridges, to which was referred a bill entitled

S. 43. An act to amend sections 8 and 10 of No. 239, approved November 25th, 1884, relating to the bridge from North Hero to Alburgh :

Reported in favor of the passage of the bill when amended as follows:

By striking out section one, and inserting in lieu thereof the following:

SECTION 1. Section ten of act No. 239 of the acts of 1884 is hereby amended by striking out the words November 1st and inserting in lieu thereof the words December 1st;

Which was agreed to.

Mr. Baker moved that the title of the bill be amended by striking out the words "8 and";

And the same was agreed to.

Whereupon the bill was ordered to be read the third time Friday morning.

A message was received from His Excellency the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the senate that he has this day approved and signed a bill originating in the senate of the following title, to wit:

S. 3. An act relating to the Burlington Gas Light Company;

A bill entitled

S. 16. An act in amendment of section 3812 of the Revised Laws, relating to intoxication;

Was called up by Mr. Bates, who moved that the bill be committed to a senator to amend as follows:

By adding to section one, the words, *In prosecutions under this section the prosecuting officer shall allege in the complaint, information or indictment known prior convictions under this section to the number of two, and upon trial shall make proof of the same, and in case of a wilful failure so to do shall be liable to the provisions of and the penalty prescribed by section 3852 of the Revised Laws;*

Which was agreed to.

Thereupon the bill was committed to the senator from Caledonia to amend, who reported the same back, amended agreeably to the instructions of the senate.

Whereupon the bill was passed.

On motion of Mr. Valentine the senate adjourned.

## AFTERNOON.

President *pro tempore* in the chair.

A bill entitled

S. 15. An act to amend section 3834 of the Revised Laws, relating to civil damage resulting from illegal sale of intoxicating liquor :

Was taken up as a special order.

Thereupon the bill was ordered to be read the third time Friday morning.

Mr. Bunker from the committee on education, to which was referred a joint resolution

Relating to the appointment of a committee to investigate the normal school system of the state ;

Reported recommending that the resolution be adopted.

Thereupon the resolution was adopted on the part of the senate.

Mr. Stevens from the committee on the grand list, to which was referred a house bill entitled

H. 98. An act to legalize the grand list of the town of Ferrisburgh for the years 1880, 1881, 1882, 1883, 1884, 1885 and 1886 ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows :

By striking out in the first section of the bill the figures "1880, 1881, 1882, 1883" ;

Which was disagreed to.

The question being shall the bill be read the third time, Mr. Judson moved that the same be recommitted to the committee on the grand list ;

And the same was agreed to.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Wells (by request),

S. 61. An act authorizing the Burlington and Lamoyille Railroad Company to build a branch from Cambridge to Province Line ;

To the committee on railroads.

By Mr. Gray (by request),

S. 62. An act in amendment of section 2010 of the Revised Laws, relating to legal holidays ;

To the committee on banks.

On motion of Mr. Judson the senate adjourned.

FRIDAY, OCTOBER 29TH, 1886.

The senate convened at ten o'clock in the forenoon, agreeably to adjournment.

Reading of scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Swain,

S. 63. An act to facilitate the duties of listers ;

To the committee on the grand list.

S. 64. An act to enable the town of Rockingham to issue its bonds for the purpose of defraying the expense of building a town house ;

To the committee on the judiciary.

By Mr. Baker,

S. 65. An act to pay Ella M. Ballou the sum therein named ;

To the committee on claims.

S. 66. An act to provide for the appointment of stenographic reporters in certain cases ;

To the committee on the judiciary.

By Mr. Bailey (by request),

S. 67. An act to amend section 3855 of the Revised Laws and in addition thereto ;

To the special committee on temperance legislation.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution, relating to highways and bridges ;

In the adoption of which the concurrence of the senate is requested.

The house have passed bills of the following titles :

H. 84. An act to pay Gardner J. Wallace the sum therein named ;

H. 128. An act in amendment of and in addition to act No. 137 of the acts of 1884, relating to exemptions from attachment and execution ;

H. 133. An act to punish executors, administrators and guardians guilty of embezzlement ;

H. 139. An act to amend section one of No. 88 of the session laws of 1882, relating to justices of the peace ;

H. 156. An act to protect minors ;

In the passage of which the concurrence of the senate is requested.

The governor has informed the house that he has approved and signed bills originating in the house, of the following titles :

H. 5. An act to incorporate the Burlington Cancer Relief Association ;

H. 56. An act to incorporate the Bethel graded school district ;

H. 63. An act to empower the village of West Randolph to bring water into said village, and to issue bonds for that purpose.

Mr. Baker from the committee on the judiciary, to which was referred the petition of C. M. Chase and others, submitted the following report, which was read and accepted :

#### TO THE HONORABLE SENATE :

The committee upon the judiciary to which was referred the petition of citizens of Lyndon, praying for the enactment of a statute to provide for adequate punishment of crimes against women and girls, respectfully report that they have considered the same, and in accordance with the spirit which prompted this petition, have recommended the passage of house bill No. 22—with proposals of amendment—which now awaits its third reading in the senate. The question of raising the age of consent to at least eighteen years as prayed for in this petition, was considered by the committee in view of the urgency with which the question is being pressed by the association, whose name appears in the printed heading of this petition, and we reconsidered it upon personal application to the committee, and we were and are unanimously of opinion that no good can result from raising the age of consent above the age fixed in the bill referred to, unless the legislature could withdraw the legal power of consent from the entire female sex.

After people have attained the age of mature powers and judgment, your committee do not regard it as the proper province of legislation to treat acts and intercourses between any two of them that has the mutual concurrence of their wills, as a forceable assault of the one upon the other. Laws become ridiculous when they ignore plain facts, and rest only and solely upon fictitious theories of natural development.

It is conceded on all hands that girls reach the age of physical and mental maturity earlier than boys. If every act of carnal knowledge, after that age is reached by the girl, makes the act a high crime on the part of the older but less mature boy, it shifts responsibility on to shoulders that ought not to bear it alone, and wrongs the weak boy who falls before temptations thrown in his path by the more mature and often more wicked girl, at a critical period of his life, when he should have as adequate protection as his female companion, whose finer moral nature is more susceptible to the proper teachings of morality and virtue.

The members of your committee are able to recall instances where girls of fifteen have been happy wives and mothers, and who became and remained as useful, healthy and respected as those contracting marriages at a more advanced age. We don't recommend this as the proper age, but instances are numerous, and we feel that the legislature would not be serving any good purpose by making marriages of girls at that age a crime on the part of their husbands, or by making the age of consent in the statutes against rape a higher age than the one regarded in law and by society as the age when the female may safely and acceptably enter into and perform the duties of the marital state.

The motives that actuate petitions of the kind now under consideration are most worthy and exalted, but we think the end will be better attained through proper religious and moral training, than by a law that shall advertise mature womanhood as too feeble in its moral powers and convictions to protect itself against its own indiscretions or the wiles and seductions of the other sex. The best good of coming generations requires that the mothers of the state shall be self-reliant and virtuous, because of their own force of character, and moral ability to protect themselves against all dangers where they are not overcome by physical force. Everything that teaches the girl that she must have special protection of law on account of her moral weakness, after she arrives at years of moral discretion, is a manifest injury, as tending to break down her own self reliance. by teaching her that she is not required to protect herself in her character and reputation, by the uprightness of her demeanor, the purity of her heart and the strength of her character.

We recommend that no legislation is required beyond the terms of the pending bill.

J. C. BAKER,  
*For the Committee.*

A bill entitled

S. 19. An act relating to the election and term of office of selectmen, listers and auditors ;

Was taken up as a special order and as unfinished business.

The question being will the senate agree to strike out section four as recommended by the committee,

It was determined in the affirmative.



Whereupon the bill was ordered to be read the third time to-morrow morning.

A bill entitled

S. 15. An act to amend section 3834 of the Revised Laws relating to civil damage resulting from the illegal sale of intoxicating liquor ;

Was read the third time.

Mr. Chapin moved that the bill be committed to a senator to amend by striking out in line sixteen, section one, the word "two" and inserting in lieu thereof the word *one* ;

Which was disagreed to.

Yeas, 6 ; nays, 17.

Mr. Pierce having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,  
Bunker,

Chapin,  
Clark.

Gray,  
Judson—6.

Those senators who voted in the negative are Messrs.

Bailey,  
Baker,  
Chase,  
Cushing,  
Fletcher,  
Foster,

Hale,  
Marsh,  
Pierce,  
Powell,  
Slayton,  
Spear,

Stanley,  
Swain,  
Valentine,  
Wells,  
Wright—17.

So the proposed amendment was disagreed to.

Whereupon the bill was passed.

A bill entitled

S. 31. An act to punish false pretences in obtaining certificates of registration of cattle and other animals ;

Was read the third time.

Thereupon Mr. Bates moved that the bill be committed to a senator to amend by striking out in line eleven, section one, the words "in a county jail ;"

Which was agreed to.

And the bill was committed to the senator from Calendonía to amend, who reported the same back amended agreeably to the instructions of the senate.

Whereupon the bill was passed.

A bill entitled

S. 43. An act to amend section ten of No. 239, approved November 25th, 1884, relating to the bridge from North Hero to Alburgh ;

Was read the third time and passed.

A house bill entitled

H. 22. An act in amendment of section 4110 of the Revised Laws;

Was read the third time and on motion of Mr. Bailey ordered to lie.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 84. An act to pay Gardner J. Wallace the sum therein named ;  
To the committee on claims.

H. 128. An act in amendment of and in addition to act No. 137 of the acts of 1884, relating to exemption from attachment and execution :

H. 133. An act to punish executors, administrators and guardians guilty of embezzlement ;

H. 139. An act to amend section 1 of No. 88 of the session laws of 1882, relating to justices of the peace ;

To the committee on the judiciary.

H. 156. An act to protect minors ;

To the general committee.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That so much of the governor's message as relates to act No. 11 of the laws of 1884, entitled " an act relating to highways and bridges," be referred to the committees on highways and bridges of both houses, to consider the same and to report by bill or otherwise.

Was read and adopted in concurrence.

On motion of Mr. Bates the senate adjourned.

#### AFTERNOON.

Mr. Bailey presented the petition of L. C. Hatch and seven others, citizens of Chelsea, asking for the passage of a law giving women the right to vote in municipal elections ;

And the same was referred to the committee on elections.

Mr. Stoddard from the committee on the judiciary to which was referred a bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

Reported recommending that the bill be passed when amended by striking out sections two and three ;

Which was agreed to, and the bill was ordered to be read the third time to-morrow morning.

Mr. Bates from the committee on the judiciary to which was referred a bill entitled

S. 21. An act to restore John C. Beers to his legal rights and privileges ;

Reported adversely to its passage.

Whereupon the third reading of the bill was refused.

Mr. Bailey from the committee on the grand list to which was referred a bill entitled

S. 32. An act to exempt certain property from taxation ;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time Tuesday morning at eleven o'clock.

Mr. Spear from the committee on highways and bridges to which was referred a house bill entitled

H. 90. An act to authorize the construction of a bridge from Grand Isle to North Hero ;

Reported in favor of its passage in concurrence.

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Valentine from the general committee to which was referred a house bill entitled

H. 96. An act in amendment of an act approved November 9th, 1876, relating to the city of Burlington ;

Reported in favor of its passage.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Bates from the committee on the judiciary to which was referred a bill entitled

S. 4. An act to amend chapter 44 of the Revised Laws relating to the supreme and county courts ;

Reported recommending that the bill be passed when amended so that section five will read as follows :

SECTION 5. Section 801 of the Revised Laws is hereby amended so as to read as follows :

The stated terms of the county courts shall be held as follows :

In the county of Addison on the first Tuesday of June and the second Tuesday of December,

In the counties of Bennington and Caledonia on the first Tuesdays of June and December.

In the county of Chittenden on the third Tuesday of March and the second Tuesday of September.

In the county of Essex on the third Tuesdays of March and September.

In the county of Franklin on the second Tuesdays of March and September.

In the county of Grand Isle on the last Tuesdays of March and August.

In the county of Lamolle on the fourth Tuesday of May and the first Tuesday of December.

In the counties of Orange on the first Tuesday of June and the third Tuesday of December.

In the counties of Orleans on the first Wednesday after the first Tuesday in March and September.

In the county of Rutland, Washington and Windham on the second Tuesdays of March and September.

In the county of Windsor on the fourth Tuesday in May and the first Tuesday in December;

Which proposal of amendment was agreed to.

Thereupon on motion of Mr. Stoddard the bill was ordered to lie and be made the special order for Wednesday next at three o'clock in the afternoon.

Mr. Cushing from the committee on state prisons, submitted a joint report as follows :

#### REPORT OF COMMITTEE ON STATE PRISON.

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :

The standing committee of the senate and house of representatives on the state prison at Windsor, who were authorized and directed by joint resolution to jointly visit and inspect the same, respectfully report that on the 22d day of October, A. D. 1886, in company with one of the directors of the prison, the Hon. W. H. H. Bingham, the full committee appointed for that purpose visited the institution and performed the duties required of them.

Your committee were met at the prison by E. W. Oakes, the superintendent, who appeared pleased to see us, and expressed a desire for a thorough and critical examination of the prison, and afforded us the fullest and most ample facilities for the same.

Your committee found that great additions and improvements have been made, through your generous appropriations of '80 and '82, and that the benefits arising from these additions and improvements had more than fulfilled the expectations of its friends and directors. Having changed entirely the sanitary condition of the prison, which is nearly perfect, as is shown by its entire freedom from sickness, and a spirit of cheerfulness which seems to prevail in the prison, that could hardly be expected in an institution whose occupants were hardened criminals.

In the work shops we witnessed the surprising dexterity of the men in handling the complicated machinery. And in their obedience and attention to work, their physique and general appearance, satisfied your committee that the management was humane, and that in the superintendent the state had the right man in the right place. In the kitchen and laundry we found neatness and economy practiced and saw no need of any expense to the state by way of appropriation for improvements, until we reach the east wing of the prison, where the occupied cells are located and where the convicts remain near two-thirds their time. At this point we found surrounding these cells whose occupants are human beings, and fastened in without a possibility of escape, a net-work of inflammable material, put there 76 years ago, worn and rickety, holding out a continuous temptation to the maddened or malicious criminal to fire the same, in case of which event valuable property would not only be injured, but the loss of life would be fearful. This danger from fire is not all; the whole structure is cumbersome and unsightly, it obstructs the light from entering the cells, and requires hours of hard work and persistent care and watchfulness to keep neat and clean. With all the improvements made, to have this unsightly relic left, not in keeping with its surroundings, annoying and dangerous, your committee believes ought not to be, and would recommend that this net-work, the old wooden stairs and walks built in 1810, and which have been referred to so pointedly from time to time by the directors of the prison, and in the messages of our governors, should be replaced with iron, and to that effect, would recommend that the sum of five thousand dollars, or as much thereof as is needed for the same, be appropriated, and that the bill accompanying this report ought to pass.

D. L. CUSHING, J. R. JUDSON, WILLIAM CHAPIN,	} Committee of the Senate.
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DWIGHT TUXBURY, J. C. STEARNS, BYRON SMITH, E. O. RANDALL, C. C. PUTMAN, JR., CHAS. S. RANSOM, F. G. TAYLOR.	} Committee of the House.
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And the same on motion of Mr. Pierce was ordered to lie and the secretary was directed to procure the printing of the usual number of copies for the use of the general assembly.

An accompanying bill entitled

S. 68. An act to appropriate money for repairs to the state prison building at Windsor;

Was read the first and second times and under the rule ordered to lie and be printed.

On motion of Mr. Baker the senate adjourned.

SATURDAY, OCTOBER 30, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Chase,

S. 69. An act to authorize the quartermaster-general to exchange the arms and equipments of the national guard of Vermont ;  
To the committee on military affairs.

By Mr. Swain,

S. 70. An act extending the provisions of act No. 1 of the laws of 1882 to street and horse railroads.  
To the committee on finance.

Mr. Swain presented the petition of Ida A. Taggard Arms and 112 others, citizens of Wilmington, praying for the passage of a law granting the right of suffrage to women in municipal elections ;

And the same was referred to the committee on elections.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the house that the senate have considered a senate bill entitled

S. 37. An act to pay M. E. Wheeler the sum therein named ;  
And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 36. An act to quiet the title in lands conveyed by collector's deed ;

H. 60. An act repealing section 696 of the Revised Laws limiting the jurisdiction of the court of chancery ;

H. 65. An act relating to exemption from taxation ;

H. 85. An act providing for the payment of referees, auditors and commissioners in probate appeals ;

H. 93. An act to legalize the grand list of the town of Northfield for the years 1884 and 1885 ;

H. 107. An act to pay Henry P. Fisher the sum therein named ;

H. 108. An act to pay William Lafa the sum therein named ;

H. 109. An act relating to specifications in prosecutions under chapter one hundred sixty-nine of the Revised Laws ;

H. 110. An act to amend section 3857 of the Revised Laws ;

H. 125. An act in amendment of section 2176 of Revised Laws, relating to the sale of real estate under the order of probate courts ;

H. 130. An act to incorporate the St Albans Electric Light and Power Company ;

H. 150. An act to prevent fraud in the sale of butter.

H. 176. An act to amend section 10 of No. 229 of the acts of 1884 ;

In the passage of which the concurrence of the senate is requested.

S. 17. An act relating to bridges ;

Was taken up and on motion of Mr. Bates recommitted to the committee on the judiciary.

A bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

Was read the third time and passed.

A house bill entitled

H. 90. An act to authorize the construction of a bridge from Grand Isle to North Hero ;

Was read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 36. An act to quiet the title in lands conveyed by collector's deed.

To the committee on the judiciary.

H. 60. An act repealing section 696 of the Revised Laws, limiting the jurisdiction of the court of chancery ;

To the committee on the judiciary.

H. 65. An act relating to the exemptions from taxation ;

To the committee on the grand list.

H. 85. An act providing for the payment of referees, auditors and commissioners in probate appeals ;

To the joint special committee on state and court expenses.

H. 93. An act to legalize the grand list of the town of Northfield for the years 1884 and 1885 ;

To the committee on the grand list.

H. 107. An act to pay Henry P. Fisher the sum therein named:  
To the committee on claims.

H. 108. An act to pay William Lafia the sum therein named;  
To the committee on claims.

H. 109. An act relating to specifications in prosecutions under chapter one hundred sixty-nine of the Revised Laws;

H. 110. An act to amend section 3857 of the Revised Laws;  
To the special committee on temperance legislation.

H. 125. An act in amendment of section 2176 of Revised Laws, relating to the sale of real estate under the order of probate courts;  
To the committee on the judiciary.

H. 130. An act to incorporate the St. Albans Electric Light and Power Company;  
To the general committee.

H. 150. An act to prevent fraud in the sale of butter;  
To the committee on agriculture.

H. 176. An act to amend section 10 of No. 239 of the acts of 1884;  
To the committee on highways and bridges.

A bill entitled

S. 19. An act relating to the election and term of office of selectmen, listers and auditors;  
Was read the third time.

Thereupon Mr. Baker moved that the bill be committed to a senator to amend by inserting after the word "town" in line three of section one the words, *which shall vote to accept the provisions of this act*;

And the same was disagreed to.

Whereupon the bill was passed.

Mr. Slayton from the committee on agriculture to which was referred a bill entitled

S. 14. An act to amend section 4132 of the Revised Laws in relation to arson and burning;

Reported in favor of the passage of the bill;

Whereupon the bill was ordered to be read the third time Wednesday afternoon at two o'clock.

Mr. Gray from the committee on banks, to which was referred a bill entitled

S. 62. An act in amendment of section 2010 of the Revised Laws, relating to legal holidays;



Reported recommending the passage of the bill when amended by adding to section one, the words, *when any one of said days falls on Sunday, the next preceding Saturday shall for all purposes specified herein be considered like Sunday.*

Pending the question, will the senate agree to the same, on motion of Mr. Baker the bill was ordered to lie.

Mr. Chapin from the committee on highways and bridges, to which was referred a house bill entitled

H. 176. An act to amend section ten of No. 239 of the acts of 1884 ;

Reported in favor of the passage of the bill.

Thereupon the bill was ordered to be read the third time, and on motion of Mr. Chapin under a suspension of the rules, read the third time and passed in concurrence.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 72. An act authorizing fire district No. 1 of the town of Brandon to fund its present indebtedness ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows :

*First*, By striking out all section three after the word "act" in line eight ;

*Second*, By striking out section five and inserting in lieu thereof the following section :

SECTION 5. It is hereby made the duty of the prudential committee and treasurer of said fire district to pay the interest and principal of said bonds as they fall due. If said fire district should, from any cause, fail to provide means for the payment of the interest and principal of said bonds that may become due, during any current year, then it shall be the duty of the prudential committee, of said fire district, without vote of the district, to seasonably assess upon the grand list of said district a tax sufficient to meet the interest and principal of said bonds as they respectively become due, and place the same in the hands of the collector to immediately collect the same and pay it into the district treasury.

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time Tuesday morning.

Mr. Blake from the committee on the judiciary, to which was referred a bill entitled

S. 52. An act fixing the salary of supreme court judges and amending section 793 of the Revised Laws ;

Reported in favor of the passage of the bill when amended by inserting after the word "dollars" in the sixth line of section one the words, *and his actual cash disbursements for expenses while absent from his home upon official business, not to exceed three hundred dollars each year ;*

Which proposal of amendment was agreed to, and on motion of Mr. Chapin the bill was ordered to lie.

S—6.

Mr. Chase from the committee on military affairs to which was referred a bill entitled

S. 55. An act to prevent persons from unlawfully using or wearing the badge of the grand army of the republic of this state ;

Reported in favor of its passage ;

Thereupon the bill was ordered to be read the third time Monday afternoon.

Mr. Baker moved that when the senate adjourn, it be to meet on Monday next at two o'clock in the afternoon ;

And the same was agreed to.

On motion of Mr. Bates the senate adjourned.

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MONDAY, NOVEMBER 1ST, 1886.

The senate convened agreeably to adjournment at two o'clock in the afternoon.

Reading of scriptures and prayer by the chaplain.

Journal of Saturday read and approved.

Mr. Chase from the general committee to which was referred a house bill entitled

H. 100. An act to enable school district No. 3 in Windsor to issue its bonds for the purpose of funding its indebtedness ;

Reported in favor of its passage with proposal of amendment as follows :

By striking out all of section two after the word "act" in the eleventh line ;

Which proposal of amendment was agreed to.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Clark from the committee on claims to which was referred a bill entitled

S. 35. An act to pay L. A. Drew the sum therein named ;

Reported in favor of the passage of the bill when amended by filling the blank in section one with the words, *seventy-seven dollars and forty-seven cents* ;

Which proposal of amendment was agreed to.

Thereupon the bill was ordered to be read the third time, read the third time and passed.

Mr. Chase, from the committee on claims to which was referred a bill entitled

S. 58. An act to pay B. Agnes Collins the sum therein named ;

Reported in favor of the passage of the bill when amended as follows :

By striking out in line three, section one, the words, " fifty-three dollars and thirty-six" and inserting in lieu thereof the words, *forty dollars and eighty-two* ;

Which proposal of amendment was agreed to,

Thereupon the bill was ordered to be read the third time, read the third time and passed.

A bill entitled

S. 55. An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state ;

Was read the third time and passed.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 151. An act to amend an act entitled an act to alter the name of the proprietors of the Congregational meeting-house in Barre, enlarging their powers and fixing the time of holding the annual meeting ;

H. 193. An act to incorporate the People's Trust Company of St. Albans ;

In the passage of which the concurrence of the senate is requested.

The governor has informed the house that he has approved and signed a bill originating in the house of the following title :

H. 45. An act amending section one of No. 60 of the acts of 1884.

Mr. Smith introduced a bill entitled

S. 71. An act to amend an act entitled an act in addition to an act to incorporate the National Life Insurance Company of the United States ;

Which was read the first and second times and referred to the committee on banks.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 151. An act to amend an act entitled an act to alter the name of the proprietors of the Congregational meeting-house in Barre, enlarging their powers and fixing the time of holding the annual meeting ;  
To the general committee.

H. 193. An act to incorporate the People's Trust Company of St. Albans ;

To the committee on banks.

Senator Bunker in the chair.

On motion of Mr. Swain the senate adjourned.

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TUESDAY, NOVEMBER 2D, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Clark,

S. 72. An act to prescribe rules and regulations for the operation of railroads ;

To the committee on railroads.

By Mr. Smith,

S. 73. An act to incorporate the Standard Light and Power Manufacturing Company ;

To the general committee.

By Mr. Wright,

S. 74. An act in amendment of No. 130 of the laws of 1884, relating to trustee process ;

To the committee on the judiciary.

Mr. Bunker offered the following resolution :

*Resolved*, That no bills shall be introduced in the senate after the 10th day of November instant (except such as shall be reported by committees) without the unanimous consent of the senate ;

Which was read and adopted.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 30. An act to pay N. M. Johnson the sum therein named ;

H. 33. An act in amendment of section three of act No 60. of the laws of 1884, entitled an act relating to elections ;

H. 47. An act to pay O. P. Simonds the sum therein named ;

H. 89. An act to pay L. D. Miles the sum therein named ;

H. 101. An act in amendment of section one of No. 51 of the laws of 1882, entitled an act relating to burial grounds ;

H. 103. An act to pay John Mellor the sum therein named ;

H. 111. An act to pay H. C. Hazelton the sum therein named ;

H. 158. An act relating to justices of the peace ;

H. 163. An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state ;

H. 168. An act granting a pension to Peter Lander ;

H. 170. An act relating to the impeachment of adverse witnesses ;

H. 171. An act laying a tax on the county of Essex ;

H. 200. An act to appropriate money for repairs to the state prison building at Windsor :

In the passage of which the concurrence of the senate is requested.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the governor to inform the senate that on the 30th day of October he approved and signed a bill originating in the senate of the following title, to wit :

S. 37. An act to pay M. E. Wheeler the sum therein named.

I am directed by the governor to transmit to the senate two communications in writing.

Mr. Chase offered the following resolution, which was read and adopted :

*Resolved by the Senate*, That three hundred and fifty copies of the petition of citizens of Lyndon praying for the enactment of a law for

the better protection of women and girls, with the report of the committee thereon, be printed for the use of the general assembly.

Mr. Judson from the committee on elections to which was referred a bill entitled

S. 26. An act in amendment of chapter seven of the Revised Laws, relating to the manner of conducting elections;

Reported in favor of the passage of the bill when amended by adding to section one the words, *at the freemen's meeting in Septemb r*;

Which proposal of amendment was agreed to.

Mr. Spear moved to further amend the bill by striking out in line five the words "section 76;"

Which was agreed to.

Mr. Baker moved that the bill be further amended by striking out in line two the words "of chapter seven;"

And the same was agreed to.

Mr. Hale moved that the title of the bill be amended by striking out the words "chapter seven" and inserting in lieu thereof the words *section seventy-six*:

Which was agreed to.

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Bailey from the committee on claims to which was referred a house bill entitled

H. 108. An act to pay William Lafla the sum therein named;

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was ordered to be read the third time to-morrow morning.

A bill entitled

S. 62. An act in amendment of section 2010 of the Revised Laws relating to legal holidays;

Was taken up.

Thereupon the pending proposal of amendment as recommended by the committee on banks was agreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning.

A bill entitled

S. 32. An act to exempt certain property from taxation;

Was read the third time.

Thereupon on motion of Mr. Bates the bill was ordered to lie and be made the special order for Thursday next at eleven o'clock in the forenoon.

Mr. Wells from the committee on banks to which was referred a bill entitled

S. 39. An act to incorporate the St. Johnsbury Savings Bank and Trust Company ;

Reported recommending the passage of an accompanying substitute bill as follows :

S. 75. An act to incorporate the Citizens' Savings Bank and Trust Company of St. Johnsbury ;

*It is hereby enacted by the General Assembly of the State of Vermont:*

SECTION 1. Orlo H. Austin, George P. Blair, Harley E. Folsom, Alden L. Bailey, William P. Fairbanks, John T. Ritchie, Charles T. A. Humphrey, O. H. Henderson, Jacob G. Hovey, Isaac M. Smith, William H. Burbank, Nathan M. Johnson, William S. Streeter, Benjamin G. Howe, Charles M. Chase, Perley F. Hazen, B. D. Hartshorn, Henry R. Robie, William W. Grout, George Brainerd, Dr. R. T. Johnson, D. R. Densmore, Andrew C. Ritchie, L. Downer Hazen, Joseph Drouin, Charles A. Calderwood, William Daniels, Jovite Pinard, George Demars, Harvliu Paddock, and G. A. Whitchee, their associates, and successors, are hereby constituted a corporation by the name of "The Citizens' Savings Bank and Trust Company of St. Johnsbury," and by that name may sue and be sued, plead and be impleaded, and may have a common seal, and the same alter at pleasure; said company shall be located at St. Johnsbury in Caledonia county, Vermont.

SECTION 2. The capital stock of said corporation shall be fifty thousand dollars, with the power to increase the same to any amount not exceeding three hundred thousand dollars, which shall be divided into shares of one hundred dollars each.

SECTION 3. The books for receiving subscriptions for shares in said corporation shall be opened at St. Johnsbury in the county of Caledonia, at such time as shall be designated by a majority of the incorporators, notice of which opening shall be published in a newspaper printed in said county of Caledonia two weeks in succession, the last of which shall not be more than two weeks previous to the day fixed by the incorporators for such opening, and said notice shall be signed by a majority of the incorporators mentioned in section one of this act who are hereby appointed commissioners for that purpose, and who shall be sworn to a faithful discharge of their duty; and such books shall continue open from ten o'clock A. M. until four o'clock P. M., each day, Sundays excepted, for the space of ten days, and thereafter until five hundred shares shall be subscribed; and the subscribers shall, at the time of subscribing, deposit with the commissioners ten dollars on each share by them subscribed. In case more than the whole amount of the capital stock is subscribed, the said commissioners shall allot and distribute the same among the subscribers in such manner as they may deem most for the interest of all concerned, and, if there shall be an increase of the capital stock of said corporation as herein provided, the said increase shall be divided among the then stockholders *pro rata* if they will accept the same, and, in case the whole of such increase is not thus distributed, the surplus may be divided among the then stockholders of said corporation, who will receive and pay for the same, in proportion to the amount of stock held by them, or in such other manner as the board of directors shall determine.

SECTION 4. Said commissioners shall, upon the whole amount of stock being subscribed for, or within sixty days thereafter, call a meeting of the stockholders of said corporation, at such place in Caledonia county as they shall think proper, by publishing a notice thereof, signed by a majority of them, in a weekly newspaper printed in the county of Caledonia two weeks successively, previous to such meeting, for the purpose of electing five or more directors of said corporation; and said commissioners shall deliver to said directors of said corporation when elected, and within ten days after they shall enter upon the duties of their office, a list of all the names of persons entitled to shares in said corporation, and the number of shares to which each is entitled, and the sum by each deposited with them, also the moneys received by them on deposit on said shares; which list, said directors shall cause to be recorded in the books of said corporation, and shall thereupon issue certificates to such subscribers for their stock.

SECTION 5. Every stockholder shall be entitled to one vote for directors, for every share of capital stock standing in his or her name on the books of the corporation.

SECTION 6. The corporation shall not commence business until at least fifty per cent. of the whole capital stock shall have been paid into said corporation. After the shares shall have been distributed and allotted, each stockholder shall pay the whole amount remaining due on the shares so held by him, at such time or times as the board of directors shall appoint, of which at least ten days' notice shall be given to each subscriber by mail and publishing the same in some newspaper printed in Caledonia county; and the shares of each stockholder omitting to make such payment shall be forfeited, together with all previous payments made thereon; provided that the whole amount of such capital stock shall be paid in within two years from the date of the organization of the corporation.

SECTION 7. All the business of said corporation shall be managed by not less than five nor more than nine directors, a majority of whom shall constitute a quorum for the transaction of business, who shall be stockholders in said corporation, each to the amount of one thousand dollars, and inhabitants of this state, and shall hold their office until the third Tuesday in January after their appointment, and until their successors are appointed and qualified, and shall be elected annually after their first election, at such time and place as a majority of the directors, for the time being, shall direct, public notice whereof shall be given by publication of the same in a newspaper printed in the said county of Caledonia, for the space of three weeks next previous to such election, and all such elections shall be made by ballot by the stockholders of said corporation, who shall be present in person or by proxy, and the several persons who shall receive the greatest number of votes at such election shall be directors, and if any two or more persons shall receive an equal number of votes, so that more than the required number thereof shall by a plurality of votes appear to be elected the stockholders shall proceed to ballot a second time, and by a plurality of votes determine which of said persons so having an equal number of votes shall be directors; and in case any vacancy shall happen, by death, resignation, or otherwise the vacancy shall be filled from among the stockholders by a majority of the remaining directors. After their election the directors shall elect from their number a president and vice-president, and such other officers as they may deem necessary. The said directors shall be liable to the creditors and stockholders of said corporation for any loss which may be sustained in consequence of any incompetency, unfaithfulness or remissness in the discharge of their official duties hereinbefore or hereinafter prescribed; and any number of such directors may be sued in the same action by any claimant, under these provisions.

SECTION 8. If the election of directors shall not be made on the day herein prescribed, said corporation shall not be thereby dissolved, but a meeting for the election of directors may be held, on any day, under such regulations as shall be prescribed by the by-laws of the corporation.

SECTION 9. The shares of said corporation shall be transferred only in such manner and under such regulations as shall be prescribed by the by-laws of the corporation, provided that no transfer shall be valid until recorded by the treasurer, and in his absence, by any one of the directors, in a book for that purpose.

SECTION 10. The corporation hereby created shall have power;

First. To receive moneys on deposit or in trust, at such rate of interest or on such terms as may be agreed upon, the rate of interest to be allowed for deposits not exceeding the legal rate.

Second. To accept and execute all such trusts, of every description, not inconsistent with the laws of this state, as may be committed to them by any person or persons whomsoever, or by any corporation, or by order of the supreme court, probate court, or any other court of record of this state;

Third. To take and accept, by grant, assignment, transfer, devise or bequest, and hold any real or personal estate on trusts



created in accordance with the laws of this state, and execute such legal trusts on such terms as may be declared, established or agreed upon in regard thereto; and in case no terms are declared, established or agreed upon, then the trust property is only to be invested as provided by the terms of this act;

Fourth. To accept from, and execute trusts for married women, in respect to their separate property, whether real or personal and act as agents for them in the management of such property;

Fifth. To accept deposits where public officers, or municipal or private corporations are authorized or required by law to deposit money in bank, and such deposits may be made by such officers or corporations with the said Citizens' Savings Bank and Trust Company of St. Johnsbury;

Sixth. To issue letters of credit upon such terms as may be agreed upon by the directors.

SECTION 11. The directors of said corporation may make such by-laws and regulations as they may deem necessary and proper, not inconsistent with this act or the laws of this state.

SECTION 12. Any trust property confided to said corporation shall be invested only according to the terms of the trust.

SECTION 13. The corporation shall be allowed as compensation, for the care of trust property, the investment and collection of the same, and for other services rendered in the execution of each trust, such sum as shall be agreed upon; and in the absence of any agreement, such compensation as is fixed by the by-laws or regulations of said corporation in force at the time such trust is created.

SECTION 14. The directors and other officers of said corporation may, at their discretion pay to any minor or married woman such sum as may have been deposited by him or her, and may be due to him or her, the same as if such minor was of age and such married woman unmarried and the check, receipt or acquittance of such minor or married woman shall be a full discharge for the amount for which it is given.

SECTION 15. The directors shall have discretionary power of investing the moneys received by them on deposit or in trust, in any of the methods permitted by law, to savings banks and trust companies, provided that when a special direction is given by, or agreement made with, those making deposits or leaving trust property with said corporation as to the mode of investment thereof, the same shall be strictly followed, if in conformity with law.

SECTION 16. No director, officer or employee of said corporation shall be at any one time directly or indirectly indebted to said corporation for more than one-twentieth part of the capital stock, actually paid in; and no loan shall be made to such director, officer or employee of said corporation, without the written consent of a majority of the directors; provided that the discount of *bona fide* bills of exchange, drawn against actually existing values and the discount of commercial or business paper, actually owned by such director, officer or employe negotiating the same, shall not be considered as money borrowed; but no loan or discount of such commercial or business paper of any individual, firm or corporation shall exceed the sum of ten thousand dollars, nor shall any loan be made by such corporation upon a pledge of its own stock.

SECTION 17. Said corporation shall be liable at all events (the act of God and the public enemies, only, excepted) for all deposits, and for the safe keeping of all bonds and other securities received by said corporation in trust; provided that in case of the dissolution of said corporation, by act of law or otherwise, the debts due from said corporation, incurred by deposits in favor of minors, insane persons, or married women in their own right, shall have preference and be satisfied before any other debts due from said corporation are paid.

SECTION 18. This act shall not be construed to confer on said corporation any right or power to make any contract, or to accept or execute any trust whatever which it would not be lawful for any individual, under the general rules of law which are or shall be in force, to make, accept or execute.

SECTION 19. If at any time the capital stock paid into said corporation shall be impaired by losses or otherwise, the directors shall forthwith repair the same by assessment; and no dividends shall be made or declared upon the capital stock of said corporation until the same are actually earned and realized over and above all losses and expenses.

SECTION 20. Any president, director or other officer of said corporation who shall misapply or divert the moneys, funds or other trust property confided to and accepted by said corporation from the purposes and objects prescribed by this act, or who shall participate in such misapplication or diversion, shall on conviction thereof, be punished by imprisonment in the state prison not to exceed five years, and be fined not to exceed five thousand dollars, or either of said punishments, in the discretion of the court.

SECTION 21. This corporation shall be subject to the provision of law applicable to savings banks and trust companies, contained in chapter one hundred and sixty-one of the Revised Laws of Vermont, and No. 41 of the laws of 1884, and to all general laws which may hereafter be enacted in relation to savings banks and trust companies, and shall also be subject to the power of the legislature at any time hereafter to repeal, alter or modify this act or any of its provisions.

SECTION 22. This act shall take effect from its passage;

Which was read the first and second times and ordered to be read the third time to-morrow morning.

Mr. Smith offered the following joint resolution :

WHEREAS, Substantial monuments of Vermont marble have been erected—one upon the battle-field of the Opequan at Winchester, Va., to mark the ground and as a memorial of those who fell in the bayonet charge of the Eighth Regiment, Vermont Volunteers September 19, 1864, and one at Cedar Creek, in memory of the desperate struggle of October 19, 1864, in which three color-bearers were shot down and 110 men and 13 officers out of 164 engaged, were killed or wounded ; and

WHEREAS, This noble and generous act was done at the personal expense of Herbert E. Hill, a veteran soldier of the Eighth Vermont Regiment ; therefore,

*Resolved by the Senate and House of Representatives,* That the patriotic act of Colonel Herbert E. Hill (now of Boston), in placing enduring monuments to mark these sacred spots, merits the gratitude of the people of this state and we hereby tender him the thanks of the general assembly.

*Resolved,* That the kindly spirit in which the inhabitants of the Shenandoah Valley received the citizens of this state September 19, 1885, and aided them in dedicating monuments to their fallen sons, merits our warmest thanks, and the noble response of the mayor of Winchester, when requested by the governor of Vermont to protect the monument saying : "We will guard it sacredly, and rather than allow a single letter to be effaced on its pure white surface, we would wish that it might be extended to the clouds, and that angels of peace might hover around its summit, symbolical of the union of

friends now so firmly established between all sections in our land," is received as the fraternal sentiment which binds Vermonters with Virginians.

*Resolved*, That the secretary of state furnish copies of the foregoing to Colonel Herbert E. Hill, and to the mayor of Winchester, Va.;

Which was read and adopted on the part of the senate.

A house bill entitled

H. 72. An act authorizing fire district No. 1 of the town of Brandon to fund its present indebtedness;

Was read the third time and passed in concurrence with proposals of amendment.

### EXECUTIVE SESSION.

On motion of Mr. Baker the senate went into executive session at twelve o'clock, noon, to consider two communications from the Governor.

The president laid before the senate the following;

#### STATE OF VERMONT.

EXECUTIVE CHAMBER,  
MONTPELIER, Nov. 2d, 1886. }

*To the President of the Senate:*

SIR:—I have the honor to nominate for the consideration and action of the senate, William P. Dillingham, of Waterbury, as commissioner of state taxes, to hold office from the time of his appointment until his successor is appointed.

EBENEZER J. ORMSBEE.

The president laid before the senate a further communication from the Governor as follows:

#### STATE OF VERMONT.

EXECUTIVE CHAMBER,  
MONTPELIER, Nov. 2d, 1886. }

*To the President of the Senate:*

SIR:—I have the honor to nominate for the consideration and action of the senate, as directors of the state prison and house of correction, the following named gentlemen:

John W. Cramton of Rutland,  
for the term of two years from the first day of December, 1886;

Joseph C. Parker of Hartford,  
for the term of four years from the first day of December, 1886.

EBENEZER J. ORMSBEE.

And the above communications were severally read and on motion of Mr. Baker ordered to be laid upon the table.

On motion of Mr. Blake the executive session was dissolved and the doors of the senate were opened.

On motion of Mr. Chapin the senate adjourned.

### AFTERNOON.

President *pro tempore* in the chair.

Bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage :

By Mr. Valentine from the committee on military affairs,

S. 48. An act appropriating a certain sum for the soldiers' home of Vermont ;

S. 69. An act authorizing the quartermaster-general to exchange the arms and equipments of the national guard of Vermont ;

By Mr. Stoddard from the committee on the judiciary,

S. 66. An act to provide for the appointment of stenographic reporters in certain cases.

Thereupon the bills were severally ordered to be read the third time to-morrow morning.

Mr. Bunker from the committee on education to which was referred a bill entitled

S. 38. An act relating to free text-books in public schools ;

Reported in favor of the passage of the bill when amended as follows :

First. By adding to section seven the words, *and the settlement between the towns for books so purchased shall be made at the close of each school year ;*

Second By inserting in the third line of section ten after the word " text-books " the words, *authorized by law ;*

Third. By striking out section twelve ;

Which proposals of amendment were severally agreed to.

The question being, shall the bill be read the third time,

It was decided in the affirmative. Yeas, 16; nays, 12.

Mr. Wright having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Baker,	Fletcher,	Pierce,
Blake,	Foster,	Spear,
Bunker,	Gray,	Stoddard,
Chase,	Hale,	Swain,
Clark,	Judson,	Valentine—16.
Cushing,		

Those senators who voted in the negative are Messrs.

Bailey,	Marsh,	Slayton,
Chapin,	Nash,	Stauley,
Draper,	Powell,	Stevens,
Hall,	Smith,	Wright—12.

And the third reading of the bill was ordered for to-morrow morning.

Mr. Baker from the committee on the judiciary to which was referred a house bill entitled

H. 128. An act in amendment of and in addition to act No. 137 of the acts of 1884 relating to exemptions from attachment and execution;

Reported adversely to its passage in concurrence.

Thereupon the third reading of the bill was refused.

House bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage in concurrence:

By Mr. Bates from the special committee on state and court expenses,

H. 85. An act providing for the payment of referees, auditors and commissioners in probate appeals;

By Mr. Stevens from the committee on claims,

H. 107. An act to pay Henry P. Fisher the sum therein named;

By Mr. Hale from the committee on temperance legislation,

H. 109. An act relating to specifications in prosecutions under chapter one hundred sixty-nine of the Revised Laws;

By Mr. Bates from the committee on the judiciary,

H. 125. An act in amendment of section 2176 of Revised Laws, relating to the sale of real estate under the order of probate courts;

H. 133. An act to punish executors, administrators and guardians guilty of embezzlement;

By Mr. Wright from the general committee,

H. 156. An act to protect minors.

Thereupon the bills were severally ordered to be read the third time to-morrow morning.

A bill entitled

S. 52. An act fixing the salary of supreme court judges and amending section 792 of the Revised Laws ;

Was taken up.

The question being, shall the bill be read the third time,

Mr. Cushing moved to amend the bill by striking out in line six, section one, the words, "three thousand dollars and his actual cash disbursements for expenses while absent from his home upon official business not to exceed three hundred dollars each year," and inserting in lieu thereof the words, *twenty-five hundred dollars and cash expenses while absent from home on official business* ;

Which was disagreed to. Yeas, 12 ; nays, 18.

Mr. Baker having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Chapin,	Marsh,	Slayton,
Chase,	Nash,	Spear,
Cushing,	Pierce,	Stevens,
Fletcher,	Powell,	Swain—12.

Those senators who voted in the negative are Messrs.

Bailey,	Draper,	Smith,
Baker,	Foster,	Stanley,
Bates,	Gray,	Stoddard,
Blake,	Hale,	Valentine,
Bunker,	Hall,	Wells,
Clark,	Judson,	Wright—18.

So the amendment was disagreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning. Yeas, 17 ; nays, 13.

Mr. Wright having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,	Draper,	Smith,
Bates,	Foster,	Stanley,
Blake,	Gray,	Stoddard,
Bunker,	Hale,	Valentine,
Clark,	Hall,	Wells.—17.
Cushing,	Judson,	

Those senators who voted in the negative are Messrs.

Bailey,	Nash,	Spear,
Chapin,	Pierce,	Stevens,
Chase,	Powell,	Swain,
Fletcher,	Slayton,	Wright—13.
Marsh,		

So the bill was ordered to be read the third time.

Mr. Hale from the committee on temperance legislation to which was referred a house bill entitled

H. 110. An act to amend section 3857 of the Revised Laws ;

Reported in favor of the passage of the bill in concurrence.

Thereupon on motion of Mr. Bates the bill was ordered to lie.

Mr. Foster from the committee on elections to which was referred a bill entitled

S. 57. An act giving to women the right to vote in certain meetings;

Reported in favor of the passage of the bill when amended by adding to section one the words, *but this act shall not include as a voter any woman who is not a taxpayer in the city, town, village, school or fire district where her vote is offered.*

Pending the question will the senate agree to the same, on motion of Mr. Bates the bill was ordered to lie and be made the special order for to-morrow afternoon at two o'clock and thirty minutes.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 30. An act to pay N. M. Johnson the sum therein named;

H. 47. An act to pay O. P. Simonds the sum therein named;

H. 89. An act to pay L. D. Miles the sum therein named;

H. 103. An act to pay John Mellor the sum therein named;

H. 111. An act to pay H. C. Hazelton the sum therein named;

To the committee on claims.

H. 33. An act in amendment of section three of act No. 60 of the laws of 1884 entitled, "an act relating to elections;"

To the committee on elections.

H. 101. An act in amendment of section one of No. 51 of the laws of 1882 entitled to "an act relating to burial grounds;"

To the general committee.

H. 158. An act relating to justices of the peace;

H. 170. An act relating to the impeachment of adverse witnesses;

To the committee on the judiciary.

H. 163. An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state;

H. 168. An act granting a pension to Peter Lander;

To the committee on military affairs.

H. 171. An act laying a tax on the county of Essex;

To the committee on land taxes.

H. 200. An act to appropriate money for repairs to the state prison building at Windsor;

To the committee on state prison.

On motion of Mr. Baker the senate adjourned.

WEDNESDAY, NOVEMBER 3d, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced read the first and second times and referred as follows :

By Mr. Wells,

S. 76. An act to amend No. 226 of the laws of Vermont of 1872, entitled an act to incorporate the Winooski and Burlington Horse Railroad Company ;

To the committee on railroads.

By Mr. Bates,

S. 77. An act requiring railroad companies to provide and carry drinking water in passengers cars ;

To the committee on railroads.

Senator Clark in the chair.

Bills of the following titles were severally read the third time and passed :

S. 26. An act in amendment of section 76 of the Revised Laws, relating to the manner of conducting elections ;

S. 48. An act appropriating a certain sum for the soldiers' home of Vermont ;

S. 62. An act in amendment of section 2010 of the Revised Laws relating to legal holidays ;

S. 69. An act to authorize the quartermaster-general to exchange the arms and equipments of the national guard of Vermont.

A bill entitled

S. 38. An act relating to free text-books in public schools ;

Was read the third time.

Thereupon Mr. Spear moved that the bill be committed to a senator to amend by striking out in lines twelve and thirteen of section three the words, " at the close of each school year " and inserting in lieu thereof the words, *on or before the first day of March of each year* ;

Which was agreed to, and the bill was committed to the senator from Orange to amend, who reported the same back amended agreeably to the instructions of the senate.



Mr. Cushing moved that the bill be committed to a senator to further amend by adding to section four the words, *and the superintendent shall cause section six of this act to be printed on suitable slips and pasted on the inside of the cover of each and every book delivered to the district clerk*;

Which was agreed to and the bill was committed to the senator from Windsor to amend, who reported the same back amended agreeably to the instructions of the senate.

Whereupon the bill was passed. Yeas, 17; nays, 12.

Mr. Nash having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bailey,	Cushing,	Spear,
Baker,	Fletcher,	Stoddard,
Bates,	Foster,	Swain,
Blake,	Gray,	Valentine,
Bunker,	Hale,	Wells—17.
Chase,	Pierce,	

Those senators who voted in the negative are Messrs.

Chapin,	Marsh,	Slayton,
Draper,	Nash,	Stanley,
Hall,	Powell,	Stevens,
Judson,	Smith,	Wright—12.

So the bill was passed.

The president resumed the chair.

A bill entitled

S. 75. An act to incorporate the Citizens' Savings Bank and Trust Company of St. Johnsbury;

Was read the third time.

Thereupon on motion of Mr. Wells the bill was ordered to lie.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have considered senate proposal of amendment to house bill entitled

H. 100. An act to enable school district No. 3 in Windsor to issue its bonds for the purpose of funding its indebtedness;

And have concurred therein.

The house have passed bills of the following titles:

H. 2. An act in amendment of No. 130 of the acts of 1884, laws of Vermont;

H. 46. An act in amendment chapter ninety-nine in relation to mortgages of personal property;

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named;

H. 172. An act in addition to chapter one hundred and twenty-one of Revised Laws, relating to certificates of marriage ;

H. 178. An act construing subdivision V of section 2362 of the Revised Laws ;

H. 180. An act relating to fire district No. 1 in the town of Manchester ;

H. 221. An act to amend chapter one hundred and seventy-one of the Revised Laws, relating to destruction of noxious animals ;

In the passage of which the concurrence of the senate is requested.

A bill entitled

S. 52. An act fixing the salary of supreme court judges and amending section 792 of the Revised Laws ;

Was read the third time and passed. Yeas, 16 ; nays, 14.

Mr. Spear having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,  
Baker,  
Bates,  
Bunker,  
Clark,  
Cushing,

Draper,  
Foster,  
Gray,  
Hale,  
Judson,  
Smith,

Stanley,  
Stoddard,  
Valentine,  
Wells—18.

Those senators who voted in the negative are Messrs.

Blake,  
Chapin,  
Chase,  
Fletcher,  
Hall,

Marsh,  
Nash,  
Pierce,  
Powell,  
Slayton,

Spear,  
Stevens,  
Swain,  
Wright—14.

So the bill was passed.

A bill entitled

S. 66. An act to provide for the appointment of stenographic reporters in certain cases ;

Was read the third time.

Whereupon Mr. Baker moved that the bill be committed to a senator to amend by striking out in line six, section one, the word "ten" and inserting in lieu thereof the word *five* ;

Which was agreed to and the bill was committed to the senator from Rutland to amend, who reported the same back amended agreeably to the instructions of the senate.

Whereupon the bill was passed.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 85. An act providing for the payment of referees, auditors and commissioners in probate appeals ;

H. 107. An act to pay Henry P. Fisher the sum therein named ;

- H. 108. An act to pay William Laffa the sum therein named ;
- H. 109. An act relating to specifications in prosecutions under chapter 169 of the Revised Laws ;
- H. 125. An act in amendment of section 2176 of Revised Laws relating to the sale of real estate under the order of probate courts ;
- H. 133. An act to punish executors, administrators and guardians guilty of embezzlement ;
- H. 156. An act to protect minors.
- On motion of Mr. Stoddard the senate adjourned.

## AFTERNOON.

A bill entitled

S. 14. An act to amend section 4132 of the Revised Laws in relation to arson and burning ;

Was read the third time and on motion of Mr. Bates ordered to lie.

Mr. Valentine from the committee on education to which was referred a bill entitled

S. 20. An act relating to the town system of schools and to repeal section 605 of the Revised Laws ;

Reported adversely to its passage.

Whereupon on motion of Mr. Bates the bill was ordered to lie.

Mr. Cushing from the committee on state prison to which was referred a house bill entitled

H. 200. An act to appropriate money for repairs to the state prison building at Windsor ;

Reported in favor of its passage in concurrence.

Whereupon on motion of Mr. Bailey the bill was ordered to lie.

Mr. Stanley from the committee on insane asylum, submitted the following report :

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JOINT REPORT OF SENATE COMMITTEE ON INSANE ASYLUM, AND HOUSE COMMITTEE ON THE INSANE.

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TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :

The senate committee on the insane asylum and the house committee on the insane, agreeable to instructions contained in a resolution adopted by each house October 13th, visited the Vermont asylum at Brattleboro, Wednesday, October 27. The committee arrived at Brattleboro the evening previous which was spent in conference with the superintendent of the asylum, Dr. Draper, and Mr. Homer Goodhue, Dr. L. C. Butler and Dr. R. T. Johnson. The advisability of providing for the care of the criminal and convict insane, away from their present quarters—this for the good of the asylum at Brattleboro—was strongly urged by the supervisors, the superintendent being in accord with them in this recommendation.

It was urged that a suitable building for this purpose could be erected upon the ground of the house of correction at Rutland, at an expense not to exceed ten thousand dollars. The subject is clearly discussed in the very excellent biennial report of the supervisors of the insane for the years 1885 and 1886, already before the legislature, to which attention is called, and to which reference is also made for the statistics of the asylum and the account of its philanthropic work.

Wednesday morning carriages were provided by Dr. Draper to convey the committee to the asylum. Every facility was afforded us to make a thorough inspection of the institution in its every part. No portion of it was omitted, and so far as it was possible for a visiting committee to observe, nothing was omitted on the part of the management which could contribute in any way to the comfort and well being of the unfortunate class committed to its care.

The sanitary condition of the asylum could not well be improved, the general good health of the inmates being the best testimony upon this point.

To give every thing a cheerful, attractive look is one of the purposes of those in charge. Pictures in great number adorn the walls of the wards, and there is an air of comfort and refinement throughout the institution which is especially noticeable.

Entertainments are provided in the chapel twice a week during a larger part of the year for the amusement of the inmates, with very beneficial results. A gymnasium with the usual appurtenances is also an interesting feature of the institution. The chapel is an elegant room with a seating capacity of about two hundred and fifty.

The grounds are elaborately laid out and beautiful walks and retreats abound. There are near six hundred acres of land connected with the buildings, and it is made to yield abundantly in farm productions.

After a thorough inspection of the main institution, we were conveyed to the "Retreat," so called, about one mile distant. This might fitly be called the "summer residence" of such female patients as can be allowed to be removed to this delightful retreat. Here the rooms and surroundings suggest nothing other than an elegant, well-ordered home. About twenty of the more mild patients were enjoying the benefits of this greater freedom where everything is quiet and peaceful.

Fourteen thousand dollars have been expended in providing this pleasant and healthful retreat; and the benefits accruing to the occupants bespeak the wisdom and humanity of Dr. Draper in its conception.

On the first day of November your committee visited the asylum of Dr. Clark, situated a short distance north of the city of Burlington, on a bluff overlooking Lake Champlain. The location is all that could possibly be desired. The lake and mountain scenery from this point can hardly be excelled. The location in a sanitary point of view is admirable, and the establishment is conveniently and tastefully fitted up, having the capacity of accommodating about twelve patients. This is a private institution where those suffering from the milder forms of insanity are tenderly cared for. The Doctor courteously conducted the committee through his establishment, the rooms being large, neat and remarkably pleasant.

Touching again the question of a separate institution for the care of the criminal and convict insane, your committee would recommend that a commission consisting of two suitable persons be appointed by the Governor to investigate as to its advisability and location, and all matters germane to the subject, and report to the next legislature.

That the institution at Brattleboro is one of which the people of the state may be justly proud, and that its officers are entitled to the confidence of the public, your committee most thoroughly believe.

A. E. STANLEY,	}	<i>Senate Committee on Insane Asylum.</i>
J. C. BAKER,		
VICTOR I. SPEAR,		

A. H. CHESMORE,	}	<i>House Committee on the Insane.</i>
F. D. STAFFORD,		
W. B. MAYO,		
E. K. BAXTER,		
GEO. I. BILL,		
L. W. HUBBARD,		

And the same on motion of Mr. Chapin was ordered to lie and be printed.

Mr. Stanley from the general committee, to which was referred a house bill entitled

H. 151. An act to amend an act entitled an act to alter the name of the proprietors of the Congressional meeting-house in

Barre, enlarging their powers and fixing the time of holding the annual meeting ;

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was ordered to be read the third time to-morrow morning.

A bill entitled

S. 57. An act giving to women the right to vote in certain meetings ;

Was taken up as a special order, the question being will the senate agree to the pending amendment proposed by the committee, on motion of Mr. Bates the bill was ordered to lie and be made the special order for Tuesday next at two o'clock in the afternoon.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 2. An act in amendment of No. 130 of the acts of 1884, laws of Vermont ;

H. 46. An act to amend chapter ninety-nine in relation to mortgage of personal property ;

H. 178. An act construing sub-division V of section 2362 of the Revised Laws ;

To the committee on the judiciary.

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named ;

To the committee on finance.

H. 172. An act in addition to chapter one hundred twenty-one of Revised Laws, relating to certificate of marriage ;

To the committee on elections.

H. 180. An act relating to fire district No. 1, in the town of Manchester ;

To the general committee.

H. 221. An act to amend chapter one hundred seventy-one of the Revised Laws, relating to destruction of noxious animals ;

To the committee on agriculture.

A bill entitled

S. 4. An act to amend chapter forty-four of the Revised Laws, relating to the supreme and county courts ;

Was taken up as a special order ;

Thereupon the third reading of the bill was refused. Yeas, 12 ; nays, 13.

Mr. Stoddard having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,  
Bates,  
Bunker,  
Chapin,

Cushing,  
Draper,  
Foster,  
Gray,

Judson,  
Pierce,  
Slayton,  
Spear—12.

Those senators who voted in the negative are Messrs.

Bailey,	Hall,	Stevens,
Blake,	Nash,	Stoddard,
Clark,	Powell,	Swain,
Fletcher,	Stanley,	Wright—13.
Hale,		

So the bill was refused a third reading.

On motion of Mr. Bunker the senate adjourned.

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THURSDAY, NOVEMBER 4, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Baker,

S. 78. An act to amend section 266 of the Revised Laws relating to taxation.

To the committee on the judiciary.

By Mr. Bunker (by request),

S. 79. An act to provide for the study of scientific temperance in the public schools of the state of Vermont ;

To the committee on education.

By Mr. Hale (by request),

S. 80. An act in amendment of No. 43 of the laws of 1882 entitled "an act in addition to chapter one hundred sixty-nine of the Revised Laws entitled, 'the traffic in intoxicating liquors ;'"

To the special committee on temperance legislation.

A house bill entitled

H. 151. An act to amend an act entitled an act to alter the name of the proprietors of the Congregational meeting-house in Barre, enlarging their powers, and fixing the time of holding the annual meeting ;

Was read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to house bill entitled

H. 72. An act authorizing fire district No. 1 of the town of Brandon to fund its present indebtedness ;

And have concurred therein.

The house have considered joint resolution from the senate relating to monuments to Vermont soldiers who fell on battlefields in Virginia ;

And have adopted the same in concurrence.

The house have considered senate bills entitled :

S. 15. An act to amend section 3834 of the Revised Laws relating to civil damage resulting from the illegal sale of intoxicating liquor ;

S. 30. An act incorporating the "Wells River graded school district ;"

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 53. An act in addition to chapter one hundred sixty-nine of the Revised Laws ;

H. 152. An act changing the name of Daisy Alice Hutchins ;

H. 167. An act making taxable female citizens voters in town, village and fire district meetings ;

H. 182. An act granting a ferry to Edwin R. Rockwell ;

H. 213. An act to authorize the quartermaster-general to exchange the arms and equipments of the national guard of Vermont ;

H. 234. An act in amendment of an act entitled "an act to incorporate the Dellwood Cemetery Association," approved November 9, 1865 ;

In the passage of which the concurrence of the senate is requested.

Petitions asking for the passage of a law giving the right of suffrage to women in municipal elections were severally presented and referred to the committee on elections as follows :

By Mr. Bunker,

Petition of Harriet S. Moore and 174 others, citizens of Barnet ;

By Mr. Stoddard,

Petition of Mrs. F. J. Bailey and 34 others, citizens of Brattleboro ;

By Mr. Spear,

Petition of Deborah Paine and 18 others, citizens of Barre ;

Petition of Betsey Fisk and 189 others, citizens of Brookfield.



A house bill entitled

H. 200. An act to appropriate money for repairs to the state prison building at Windsor;

Was taken up, ordered to be read the third time, read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 53. An act in addition to chapter one hundred sixty-nine of the Revised Laws;

To the committee on temperance legislation.

H. 152. An act changing the name of Daisy Alice Hutchins;

H. 182. An act granting a ferry to Edwin R. Rockwell;

H. 234. An act in amendment of an act entitled, "an act to incorporate the Dellwood Cemetery Association," approved November 9, 1865;

To the general committee.

H. 167. An act making taxable female citizens, voters in town, village and fire district meetings;

To the committee on elections.

H. 213. An act to authorize the quartermaster-general to exchange the arms and equipments of the national guard of Vermont;

To the committee on military affairs.

Mr. Spear from the committee on education to which was referred a bill entitled

S. 49. An act to amend section 571 of the Revised Laws relating to graded schools;

Reported adversely to its passage.

Thereupon the third reading of the bill was refused.

A bill entitled

S. 68. An act to appropriate money for repairs to the state prison building at Windsor;

Was taken up.

Whereupon the third reading of the bill was refused.

A bill entitled

S. 32. An act to exempt certain property from taxation;

Was taken up as a special order.

Thereupon on motion of Mr. Bunker the bill was ordered to lie and be made the special order for to-morrow morning at eleven o'clock.

Mr. Clark from the committee on the judiciary to which was referred a house bill entitled

H. 139. An act to amend section one of No. 88 of the session laws of 1882 relating to justices of the peace ;

Reported adversely to the passage of the bill in concurrence.

Whereupon the third reading of the bill was refused.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Wells from the committee on the judiciary,

H. 60. An act repealing section 696 of the Revised Laws limiting the jurisdiction of the court of chancery ;

By Mr. Bailey from the committee on the grand list,

H. 93. An act to legalize the grand lists of the town of Northfield for the years 1884 and 1885.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

Bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage :

By Mr. Bailey from the committee on the grand list,

S. 56. An act to legalize the grand list of the town of Bloomfield for the year 1886 ;

By Mr. Cushing from the committee on education,

S. 59. An act to amend section 531 of the Revised Laws relating to school-houses.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Bailey from the committee on the grand list,

H. 65. An act relating to exemptions from taxation ;

By Mr. Valentine from the committee on military affairs,

H. 213. An act to authorize the quartermaster-general to exchange the arms and equipments of the national guard of Vermont.

Thereupon the bills were severally ordered to be read the third time to-morrow morning.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 15. An act to amend section 3834 of the Revised Laws relating to civil damage resulting from the illegal sale of intoxicating liquor ;

S. 30. At act incorporating "the Wells River graded school district."

On motion of Mr. Bailey the senate adjourned.

### AFTERNOON.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Wright from the general committee,

H. 101. An act in amendment of section one of No. 51 of the laws of 1882 entitled "an act relating to burial grounds ;"

By Mr. Chase from the general committee,

H. 130. An act to incorporate the St. Albans Electric Light and Power Company ;

By Mr. Foster from the committee on finance,

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named ;

Thereupon the bills were severally ordered to be read the third time to-morrow morning.

Mr. Bailey from the committee on the grand list to which was referred, a bill entitled

S. 63. An act to facilitate the duties of listers ;

Reported the same back to the senate without an expression of opinion.

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Baker introduced a bill entitled

S. 81. An act to incorporate the Rutland Electric Light Company and to legalize its action ;

Which was read the first and second times and referred to the general committee.

Mr. Valentine offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That one thousand copies of the report of John B. Mead, state commissioner to the New Orleans Exposition, be printed in accordance with the recommendation of the retiring Governor and that a copy of such printed report be placed on the desk of each member of the legislature, one hundred copies to be presented to the commissioner, a copy to each of the state officers, twenty copies to the retiring Governor, S. E. Pingree, and the balance left with the state librarian to be distributed by him as in his judgment he may deem best, the printing of the report to be under the direction of the commissioner ;

Which was read and on motion of Mr. Chapin ordered to lie.

The hour having arrived for the meeting of the two houses in joint assembly the senate repaired to the hall of the house.

Having returned therefrom, on motion of Mr. Baker the senate went into executive session at four o'clock in the afternoon.

#### EXECUTIVE SESSION.

Mr. Baker moved that the communications from His Excellency the Governor nominating a commissioner of state taxes be taken from the table ;

And the same was agreed to.

Thereupon the nomination of William P. Dillingham of Waterbury to be commissioner of state taxes to hold office from the time of his appointment until his successor is appointed was confirmed by the senate.

Mr. Cushing moved that the communication from His Excellency the Governor nominating directors of the state prison and house of correction be taken up ;

And the same was agreed to.

Thereupon the nominations of John W. Crampton and Joseph C. Parker to be directors of the state prison and house of correction, the former for two years and the latter for four years from and including the first day of December, 1886, were confirmed by the senate.

On motion of Mr. Baker the executive session was dissolved and the doors of the senate were opened.

Mr. Nash moved that the senate do now adjourn and the same was agreed to.

FRIDAY, NOVEMBER 5TH, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Mr. Baker presented the petition of Rev. George W. Phillips and 509 others, voters, and 611 women citizens of Rutland praying for an amendment to make more effective our scientific temperance instruction law ;

And the same was referred to the committee on education.

Petitions praying for the passage of a law granting to women the right of suffrage in municipal elections were severally presented and referred to the committee on elections :

By Mr. Slayton,

Petition of Helen M. Liff and 20 others, citizens of Morristown ;

By Mr. Foster,

Petition of Dr. H. H. Blanchard and nine others, citizens of Derby ;

By Mr. Cushing,

Petition of Mrs. M. L. Fletcher and 65 others, citizens of Rochester.

A bill entitled

S. 63. An act to facilitate the duties of listers ;

Was read the third time.

Thereupon Mr. Baker moved that the bill be committed to a senator to amend by striking out lines nine and ten, section one, the words, "who are liable to be listed for taxes ;"

Which was agreed to ;

And the bill was committed to the senator from Rutland to amend who reported the same back amended agreeably to the instructions of the senate.

Mr. Baker moved that the bill be committed to a senator to further amend by striking out in lines three and four, section two, the words, "liable to be listed for taxes in any town or city in this state ;"

Which was agreed to and the bill was committed to the senator from Rutland to amend. who reported the same back amended agreeably to the instructions of the senate.

Whereupon on motion of Mr. Baker the bill was ordered to lie.

Mr. Baker introduced a bill entitled

S. 82. An act in addition to No. 265 of the acts of 1884, entitled "an act laying a tax on the county of Rutland ;"

Which was read the first and second times and referred to the committee on land taxes.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a senate bill entitled

S. 31. An act to punish false pretences in obtaining certificates of registration of cattle and other animals ;

And have refused the same a third reading.

The house have on their part adopted a joint resolution accepting the gift of the sword of General Samuel Strong ;

In the adoption of which the concurrence of the senate is requested.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 65. An act relating to exemptions from taxation ;

H. 101. An act in amendment of section one of No. 51 of the laws of 1882, entitled "an act relating to burial grounds ;"

H. 130. An act to incorporate the St. Albans Electric Light and Power Company ;

H. 146. An act to enable the treasurer of the Spaulding Memorial fund to do certain things therein named ;

H. 213. An act to authorize the quartermaster-general to exchange the arms and equipments of the national guard of Vermont.

A bill entitled

S. 32. An act to exempt certain property from taxation ;

Was taken up as a special order.

Thereupon on motion of Mr. Stoddard the bill was ordered to lie.

A joint resolution relating to printing the report of the state commissioner to the New Orleans Exposition ;

Was taken up.

Whereupon the same was adopted on the part of the senate.

A joint resolution from the house as follows ;

*Resolved by the Senate and House of Representatives, That the sword presented to Major General Samuel Strong by the State of New York in recognition of his distinguished services at the battle of Plattsburgh and now proffered to the State of Vermont by the*

representatives and heirs of General Strong, be accepted ; and that a committee consisting of one senator and two representatives be appointed by the president of the senate and speaker of the house, respectively, to receive the same with due acknowledgements to the donors, and place it, with the proper inscription in the state cabinet ;

Was read.

Thereupon on motion of Mr. Baker the same was ordered to lie.

Petitions praying for an amendment to make more effective our scientific temperance instruction law, were severally presented and referred to the committee on education :

By Mr. Bates.

Petition of Daniel Carpenter and 358 others, citizens of St. Johnsbury ;

Petition of Charles H. Wilson and 38 other voters, and 57 women, citizens of Danville ;

Petition of Alex Cochran, Rev. James W. Flagg and 117 other voters and 170 women, citizens of Ryegate ;

Petition of W. V. McLocklin and 82 other voters and 99 women, citizens of Peacham ;

By Mr. Chapin,

Petition of F. A. Boyce and 126 other voters and 154 women, citizens of Waitsfield ;

Petition of P. D. Bradford, M. D., Daniel Johnson, M. D., and 28 other voters and 32 women, citizens of Northfield.

On motion of Mr. Marsh the senate adjourned.

#### AFTERNOON.

A joint resolution from the house accepting the gift of the sword of General Samuel Strong ;

Was taken up.

Whereupon the resolution was adopted in concurrence.

Petitions praying for an amendment to make more effective our scientific temperance instruction law ;

Were severally presented and referred to the committee on education :

By Mr. Valentine,

Petition of Rev. Walter Chase and 74 other voters and 85 women, citizens of Stamford ;

Petition of M. C. Huling and 54 other voters and 89 women, citizens of Bennington ;

Petition of C. B. Gilbert, G. M. Sykes and 81 other voters and 116 women, citizens of Dorset ;

By Mr. Nash,

Petition of Samuel James and 43 other voters and 73 women, citizens of Weybridge ;

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Chapin (by request),

S. 83. An act repealing No. 233 of laws of 1878, granting a ferry to John O'Neil ;

To the committee on highways and bridges.

By Mr. Blake,

S. 84. An act to incorporate the Barton academy and graded school ;

To the general committee.

By Mr. Chapin (by request),

S. 85. An act relating to state printing, stationery and stationers' supplies ;

To the committee on printing.

Mr. Baker from the committee on the judiciary to which was referred a house bill entitled

H. 36. An act to quiet the title in lands conveyed by collectors' deed ;

Reported in favor of the passage of the bill in concurrence.

Whereupon on motion of Mr. Bates the bill was ordered to lie.

Mr. Marsh from the committee on military affairs to which was referred a house bill entitled

H. 163. An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state ;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence.

By Mr. Stoddard from the committee on the judiciary,

H. 170. An act relating to the impeachment of adverse witnesses ;



By Mr. Judson from the committee on elections,

H. 172. An act in addition to chapter 121 of the Revised Laws, relating to certificates of marriage;

By Mr. Baker from the committee on the judiciary,

H. 178. An act construing subdivision V of section 2362, of the Revised Laws;

By Mr. Fletcher from the general committee,

H 182. An act granting a ferry to Edwin R. Rockwell.

Whereupon the bills were severally ordered to be read the third time to-morrow morning.

Bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage :

By Mr. Blake from the committee on the judiciary,

S. 64. An act to enable the town of Rockingham to issue its bonds for the purpose of defraying the expense of building a town house;

By Mr. Gray from the committee on banks,

S. 71. An act to amend an act entitled "an act in addition to an act to incorporate the National Life Insurance Company of the United States ;

By Mr. Fletcher from the general committee,

S. 73. An act to incorporate the Standard Light and Power Manufacturing Company ;

S. 81. An act to incorporate the Rutland Electric Light Company and to legalize its action.

Whereupon the bills were severally ordered to be read the third time, read the third time and passed.

Mr. Valentine from the general committee to which was referred a bill entitled

S. 6. An act to change the line between Middlesex and Moretown ;

Reported in favor of the passage of the bill when amended as follows :

By adding to section one the words, *provided that the town of Middlesex shall pay the town of Moretown the sum of money which would be realized from the property transferred by the town of Moretown on a tax to pay the whole indebtedness of the town of Moretown ;*

Which proposal of amendment was agreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Stoddard from the committee on the judiciary to which was referred a house bill entitled

H. 12. An act to provide for an appearance in behalf of the state in divorce cases ;

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows :

First. By striking out of section two the words " this act shall take effect from its passage, " and inserting in lieu thereof the words, *a state's attorney shall be paid a fee of five dollars upon the final disposition of each divorce case in which he appears and the accounts of the several state attorneys for services rendered under this act shall be audited and allowed by the auditor of accounts ;*

Second. By adding to the bill the following :

SECTION 3. Section two of number ninety-four of the acts of 1884, is hereby repealed ;

Which proposals of amendment were severally agreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Wright from the general committee to which was referred a house bill entitled

H. 33. An act in amendment of section three of act No. 60 of the laws of 1884, entitled " an act relating to elections ;

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows :

By striking out in line two, section two, the word " register " and inserting in lieu thereof the words, *have their names placed upon the check-list ;*

Which proposal of amendment was agreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Wright from the general committee to which was referred a house bill entitled

H. 152. An act changing the name of Daisy Alice Hutchins ;

Reported in favor of the passage of the bill in concurrence.

Thereupon on motion of Mr. Baker the bill was ordered to lie.

Mr. Wright from the committee on land taxes to which was referred a house bill entitled

H. 171. An act laying a tax on the county of Essex ;

Reported in favor of the passage of the bill in concurrence.

Whereupon the bill was ordered to be read the third time to-morrow morning.

On motion of Mr. Blake the senate adjourned.

## SATURDAY, NOVEMBER 6TH, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced read the first and second times and referred as follows :

By Mr. Stoddard,

S. 86. An act in addition to and in amendment of act No. 139 of the acts of 1884 ;

To the committee on the judiciary.

S. 87. An act to prevent the use of defective steam boilers ;

To the committee on manufactures.

By Mr. Baker,

S. 88. An act to pay John B. Reynolds the sum therein named ;

To the committee on claims.

Mr. Smith presented the remonstrance of Hiram Hathaway and sixty-four other legal voters of the town of Moretown against the passage of a bill entitled

S. 6. An act to change the line between the towns of Middlesex and Moretown ;

Which was referred to the general committee.

Mr. Valentine presented the petition of Wm. L. Greenleaf and 104 others asking that provision be made for the relief of Peter Lander ;

Which was referred to the committee on military affairs.

A bill entitled

S. 63. An act to facilitate the duties of listers ;

Was taken up.

Whereupon Mr. Baker moved that the bill be committed to a senator to amend by striking out in lines two and three in section two the words, " having in his or its employ persons ;"

Which was agreed to.

Whereupon the bill was committed to the senator from Rutland to amend who reported the same back amended agreeably to the instructions of the senate.

Mr. Baker moved that the bill be committed to a senator to further amend by striking out in line seven, section two, the words, "so employed" and inserting in lieu thereof the words, *in his or its employ* ;

Which was agreed to.

Whereupon the bill was committed to the senator from Rutland to amend who reported the same back amended agreeably to the instruction of the senate.

Mr. Clark moved that the bill be committed to a senator to further amend by inserting in line seven, section one, after the word "situated" the words, *while in the performance of his duties as such lister*.

Which was agreed to.

Whereupon the bill was committed to the senator from Rutland to amend who reported the same back amended agreeably to the instruction of the senate.

Mr. Clark moved to commit the bill to a senator to further amend by inserting in line six, section two, after the word "city" the words, *while in the performance of his duties as such lister* ;

Which was agreed to ;

Whereupon the bill was committed to the senator from Rutland to amend, who reported the same back amended agreeably to the instruction of the senate.

Thereupon the bill was passed.

Petitions praying for an amendment to make more effective our scientific temperance instruction law were severally presented and referred to the committee on education :

By Mr. Baker,

Petition of Daniel Holt and 210 other voters and 270 women, citizens of Rutland.

Petition of H. D. Tuttle and 193 other voters and 214 women, citizens of Rutland.

By Mr. Smith,

Petition of S. L. Wiswell, M. D. and 51 other voters and 52 women, citizens of Cabot.

Petition of Frank C. Lamb and 39 other voters and 35 women, citizens of Warren.

Petition of D. R. Loveland and 25 other voters and 51 women, citizens of Marshfield.

By Mr. Stoddard,

Petition of Chauncey Cushing and 11 other voters and 24 women, citizens of Wilmington.

Petition of E. J. Morse and 35 other voters and 68 women, citizens of Wardsboro.

Petition of A. A. Wyman and 41 other voters and 59 women, citizens of Athens.

Petition of Otis Smalley and 36 other voters and 41 women, citizens of Grafton.

Petition of N. R. Converse and 16 other voters and 37 women, citizens of Grafton.

Petition of F. B. Johnson, M. D., and 90 other voters and 71 women, citizens of Whitingham.

By Mr. Foster,

Petition of H. H. Blanchard, M. D., and 93 other voters and 128 women, citizens of Derby.

By Mr. Nash,

Petition of A. W. Williamson and 80 other voters and 62 women, citizens of Middlebury.

By Mr. Cushing,

Petition of Dr. J. S. Richmond and 149 other voters and 266 women, citizens of Woodstock.

By Mr. Judson,

Petition of A. B. Peffers and 44 other voters and 44 women, citizens of Peru.

By Mr. Stanley,

Petition of J. K. Haben and 31 other voters and 42 women, citizens of Vergennes.

By Mr. Gray,

Petition of Ansel Goodspeed and 103 other voters and 126 women, citizens of Pawlet.

Petition of W. H. Haynes and 26 other voters and 32 women, citizens of Middletown Springs.

By Mr. Chase,

Petition of W. B. Shaw and 28 other voters and 28 women, citizens of Pittsford.

Petition of Church Tabor and 108 other voters and 110 women, citizens of Mount Holly.

By Mr. Swain,

Petition of A. B. Truax and 145 other voters and 213 women, citizens of Rockingham.

Petition of Henry W. Cobb and 39 other voters and 62 women, citizens of Rockingham.

Petition of T. W. Boynton and 13 other voters and 24 women, citizens of Jamaica.

Petition of C. J. Wolcott and 40 other voters and 49 women, citizens of Wilmington.

Petition of J. B. Kemp and 4 other voters and 13 women, citizens of Corinth.

By Mr. Pierce,

Petition of H. C. Richmond, M. D. and 149 other voters and 226 women, citizens of Woodstock.

Petition of J. T. Tupper and 38 other voters and 64 women, citizens of Rochester.

By Mr. Bates,

Petition of Rev. S. S. Brigham and 34 other voters and 37 women, citizens of Hardwick.

Petition of E. A. Gibson and 34 other voters and 43 women, citizens of Barnet.

By Mr. Clark,

Petition of Daniel Noonan and 198 other voters and 224 women, citizens of Rutland.

Petition of N. C. Harris and 55 other voters and 96 women, citizens of Poultney.

By Mr. Spear,

Petition of J. F. Heminway and 67 other voters and 99 women, citizens of Chelsea.

By Mr. Blake,

Petition of W. H. Beecher and 111 other voters and 145 women, citizens of Derby.

By Mr. Wright,

Petition of J. S. Childs and 49 other voters and 62 women, citizens of Jericho.

Petition of A. C. Humphrey and 35 other voters and 42 women, citizens of Underhill.

Mr. Stanley introduced the petition of Julia E. Smith and 162 other citizens of Ferrisburgh, praying for a law granting to women the right of suffrage in all municipal elections;

Which was referred to the committee on elections.

Mr. Smith introduced the following joint resolution :

WHEREAS, Believing that the education of Indians and their voluntary citizenship in the United States will most justly, quickly, and economically solve the Indian problem, therefore

*Resolved by the Senate and House of Representatives, That* our senators and representatives in congress be and they are hereby requested to aid in the passage of resolutions solemnly pledging the faith of the nation to the Indian policy embodied in the following principles :

First, That the unpaid sum pledged for educational purposes by the government as part payment for the cession of lands by Indians, be appropriated for the purpose of stock, farming implements, tools, etc., for Indian manual-labor schools.

Second, That so much of the net proceeds of the sale of Indian lands as may be necessary shall be set apart for the purpose of creating a permanent fund for the education of Indians.

Third, That lands in severalty, making their titles inalienable for twenty-five years, and United States citizenship may be granted at once to all Indians who so desire.

Fourth, That the legal personality of all Indians may be granted, and that protection of law may be given them, as it is to all other races within these United States.

Fifth, That the civilization of Indians may be hastened by providing for and rewarding their civilized industries.

Sixth, That the salaries of Indian agents be increased sufficiently to secure good men of large capacity and business experience, and to retain them in service.

*Resolved*, That the Governor be requested to transmit a copy of the foregoing resolutions to each of the senators and representatives in congress from this state.

Which was read and referred to the committee on federal relations.

A bill entitled

S. 6. An act to change the line between the towns of Middlesex and Moretown ;

Was read the third time.

Thereupon on motion of Mr. Chase the bill was ordered to lie and be made the special order Monday afternoon at quarter past two o'clock.

A house bill entitled

H. 12. An act to provide for an appearance in behalf of the state in divorce cases ;

Was read the third time and passed in concurrence with proposals of amendment.

A house bill entitled

H. 33. An act in amendment of section three of act No. 60 of the laws of 1884, entitled "an act relating to elections ;"

Was read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 170. An act relating to the impeachment of adverse witnesses;

H. 171. An act laying a tax on the county of Essex ;

H. 172. An act in addition to chapter one hundred and twenty-one of the Revised Laws, relating to certificates of marriage ;

H. 178. An act construing subdivision V of section 2362 of the Revised Laws ;

H. 182. An act granting a ferry to Edwin R. Rockwell.

A bill entitled

H. 152. An act changing the name of Daisy Alice Hutchins ;  
Was taken up.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Nash from the committee on railroads to which was referred a bill entitled

S. 76. An act to amend No. 226 of the Laws of Vermont of 1872, entitled "an act to incorporate the Winooski and Burlington Horse Railroad company ;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time, read the third time and passed.

Mr. Foster from the committee on finance to which was referred a bill entitled

S. 70. An act extending the provisions of act number one of the laws of 1882, to street and horse railroads ;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time Tuesday afternoon.

Mr. Blake from the committee on the judiciary to which was referred a house bill entitled

H. 2. An act in amendment of No. 130 of the acts of 1884, laws of Vermont ;

Reported in favor of the passage of the bill in concurrence.

Whereupon the bill was ordered to be read the third time Tuesday morning.

Mr. Clark from the committee on claims to which was referred a house bill entitled

H. 84. An act to pay Gardner J. Wallace the sum therein named;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Foster from the committee on railroads to which was referred a bill entitled

S. 61. An act authorizing the Burlington and Lamoille Railroad company to build a branch from Cambridge to Province line ;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time Monday afternoon.



Mr. Valentine from the committee on military affairs to which was referred a house bill entitled

H. 168. An act granting a pension to Peter Lander ;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Nash from the committee on claims to which was referred a bill entitled

S. 65. An act to pay Ella M. Ballou the sum therein named ;

Reported in favor of the passage of the bill when amended as follows :

By striking out of lines four and five of section one the words "one hundred and twenty-five dollars" and inserting in lieu thereof the words, *seventy-two dollars and eighty-five cents* ;

Which proposal of amendment was agreed to.

Whereupon the bill was ordered to be read the third time, read the third time and passed.

Mr. Hale from the committee on temperance legislation to which was referred a bill entitled

S. 80. An act in amendment of No. 43 of the laws of 1882, entitled " an act in addition to chapter 169 of the Revised Laws entitled " the traffic in intoxicating liquors ;"

Reported in favor of the passage of the bill when amended as follows :

By striking out all of section two and renumbering section three section two ;

Which proposal of amendment was agreed to.

Thereupon on motion of Mr. Baker the bill was ordered to lie.

Mr. Judson moved that when the senate do adjourn it be to meet at two o'clock on Monday November 8th, instant ;

Which was agreed to.

On motion of Mr. Hale the senate adjourned.

MONDAY, NOVEMBER 8TH, 1886.

The senate convened at two o'clock in the afternoon pursuant to adjournment.

Reading of scriptures and prayer by the chaplain.

Journal of Saturday read and approved.

A bill entitled

S. 6. An act to change the line between the towns of Middlesex and Moretown ;

Was taken up as a special order and passed.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Stanley,

S. 89. An act relating to disclosure by persons convicted of the crime of intoxication ;

To the special committee on temperance legislation.

By Mr. Chapin,

S. 90. An act to regulate railroad freight and passenger tariffs in this state, to prevent unjust discrimination and extortion and to appoint a board of railroad commissioners and prescribe their powers and duties ;

To the committee on railroads.

By Mr. Nash,

S. 91. An act relating to fish ;

To the joint committee on game and fisheries.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution granting the use of representatives' hall to the Women's Christian Temperance Union;

In the adoption of which the concurrence of the senate is requested.

The house have considered joint resolutions from the senate as follows :

Joint resolution relating to the appointment of a committee to investigate the normal school system of the state ;

Joint resolution relating to printing the report of the state commissioner to the New Orleans Exposition ;

And have adopted the same in concurrence.

The house have considered senate bills entitled

S. 35. An act to pay L. A. Drew the sum therein named ;

S. 58. An act to pay B. Agnes Collins the sum therein named ;

And have passed the same in concurrence.

The house have passed bills of the following titles .

H. 70. An act authorizing the St. Johnsbury and Lake Champlain railroad company to build a branch to connect with the Southeastern railroad ;

H. 121. An act relating to the Brattleboro and Bennington railroad company ;

H. 219. An act to incorporate the Springfield Railroad Company ;

H. 220. An act to enable the town of Springfield to aid in the construction of the Springfield railroad ;

H. 222. An act to incorporate the Hardwick and Marshfield railroad company ;

H. 224. An act to amend section 3818 of Revised Laws ;

H. 226. An act to incorporate the Rogers and Hazard Relief society ;

H. 238. An act to amend section 1968 of the Revised Laws ;

H. 254. An act laying a tax on the county of Washington ;

H. 256. An act to authorize the St. Johnsbury and Lake Champlain railroad company to hold and own stock in the Vermont Steamboat company ;

H. 271. An act relating to appeals in criminal cases ;

In the passage of which the concurrence of the senate is requested.

The governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 176. An act to amend section ten of No. 239 of the acts of 1884 ;

H. 96. An act in amendment of an act approved November 9th, 1876, relating to the city of Burlington :

H. 100. An act to enable school district No. 3, in Windsor, to issue its bonds for the purpose of funding its indebtedness ;

H. 90. An act to authorize the construction of a bridge from Grand Isle to North Hero ;

H. 72. An act authorizing fire district No. 1 of the town of Brandon to fund its present indebtedness ;

H. 156. An act to protect minors ;

H. 85. An act providing for the payment of referees, auditors and commissioners in probate appeals ;

H. 107. An act to pay Henry B. Fisher the sum therein named ;

H. 133. An act to punish executors, administrators and guardians, guilty of embezzlement ;

H. 125. An act in amendment of section 2176 of Revised Laws, relating to the sale of real estate under the order of probate courts ;

H. 108. An act to pay William Lafla the sum therein named ;

H. 109. An act relating to specifications in prosecutions under chapter one hundred sixty-nine of the Revised Laws ;

H. 130. An act to incorporate the St. Albans Electric Light and Power company ;

H. 65. An act relating to exemptions from taxation ;

H. 213. An act to authorize the quartermaster-general to exchange the arms and equipments of the national guard of Vermont ;

H. 200. An act to appropriate money for repairs to the state prison building at Windsor ;

H. 101. An act in amendment of section one of No. 51 of the laws of 1882, entitled " an act relating to burial grounds ;"

H. 151. An act to amend an act entitled an act to alter the name of the proprietors of the Congregational meeting-house in Barre, enlarging their powers and fixing the time of holding the annual meeting ;

H. 93. An act to legalize the grand lists of the town of Northfield for the years 1884 and 1885 ;

A bill entitled

S. 61. An act authorizing the Burlington and Lamoille railroad company to build a branch from Cambridge to Province line ;

Was read the third time and passed.

A joint resolution from the house as follows :

*It is hereby resolved by the Senate and House of Representatives, That the use of the hall of the house of representatives be granted to the Women's Christian Temperance Union, on Wednesday evening, November 10th, for the purpose of listening to an address by Mrs. Hunt, of Boston, on the subject of temperance instruction in the public schools ;*

Was read and adopted in concurrence.

Mr. Stevens from the committee on claims to which was referred a house bill entitled

H. 103. An act to pay John Mellor the sum therein named ;

Reported in favor of the passage of the bill.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Valentine offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the Governor, brigadier-general, adjutant and inspector-general, quartermaster-general, colonel of the regiment and commander of the battery be constituted a commission for the purpose of investigating the expediency of establishing permanent camping grounds for the use of the regiment and battery, and if found desirable, to establish such grounds, to recommend their location and necessary legislation to the legislature of 1888 ;*

Which was read and adopted on the part of the senate.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 70. An act authorizing the St. Johnsbury and Lake Champlain railroad company to build a branch to connect with the Southeastern railroad ;

H. 121. An act relating to the Brattleboro and Bennington railroad company ;

H. 220. An act to enable the town of Springfield to aid in the construction of the Springfield railroad ;

H. 256. An act to authorize the St. Johnsbury and Lake Champlain railroad company to hold and own stock in the Vermont Steamboat company ;

H. 222. An act to incorporate the Hardwick and Marshfield railroad company ;

H. 219. An act to incorporate the Springfield railroad company ;  
To the committee on railroads.

H. 224. An act to amend section 3818 of the Revised Laws ;  
To the committee on temperance legislation.

H. 226. An act to incorporate the Rogers and Hazard Relief society ;

To the general committee.

H. 238. An act to amend section 1968 of the Revised Laws ;

H. 271. An act relating to appeals in criminal cases ;

To the committee on the judiciary.

H. 254. An act laying a tax on the county of Washington ;

To a special committee consisting of the senators from Washington county ;

On motion of Mr. Chase the senate adjourned.



TUESDAY, NOVEMBER 9TH, 1886.

Reading of scriptures and prayer by Rev. I. P. Booth, chaplain of the house.

Journal of yesterday read and approved.

Bills of the following titles were severally introduced read the first and second times and referred as follows :

By Mr. Swain,

S. 92. An act to amend section 2674 of the Revised Laws of Vermont, relating to bonds of town officers ;

To the committee on finance.

By Mr. Pierce,

S. 93. An act incorporating the Rochester graded school district ;

To the committee on education.

By Mr. Baker,

S. 94. An act to amend section 171 of the Revised Laws and to provide for an executive clerk ;

To the committee on finance.

S. 95. An act in amendment of chapter 169 of the Revised Laws relating to the traffic in intoxicating liquor ;

To the special committee on temperance legislation.

S. 96. An act fixing the tenure of certain state officers ;

To the committee on elections.

By Mr. Hale (by request),

S. 97. An act in amendment of section 3818 of the Revised Laws, relating to intoxicating liquor ;

To the special committee on temperance legislation.

Mr. Bunker moved that the secretary request the house to return to the possession of the senate a house bill entitled

H. 146. An act to enable the treasurer of the Spaulding memorial fund to do certain things therein named ;

Which was agreed to.

Petitions praying for the passage of a law granting the right of suffrage to women in municipal elections were severally presented and referred to the committee on elections :

By Mr. Stoddard,

Petition of seven pastors of churches in Vermont.

By Mr. Nash,

Petition of Mrs. C. A. Chapman and 40 others, citizens of Middlebury.

A house bill entitled

H. 2. An act in amendment of No. 130 of the acts of 1884, laws of Vermont ;

Was read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills entitled

H. 12. An act to provide for an appearance in behalf of the state in divorce cases ;

H. 33. An act in amendment of section three of act No. 60 of the laws of 1884, entitled " an act relating to elections ;"

And have concurred therein.

The house have considered a senate bill entitled

S. 16. An act in amendment of section 3812 of the Revised Laws, relating to intoxication ;

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 155. An act to pay Frank H. Atherton the sum therein named ;

H. 186. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age ;

H. 192. An act relating to nuisances ;

H. 205. An act to punish the fraudulent use of borrowed teams ;

H. 210. An act to pay J. Henry Kidder the sum therein named ;

H. 214. An act to amend an act entitled " an act to amend section 29 of an act entitled " an act to provide a revenue for the payment of state expenses, approved November 28, 1882," approved November 25, 1884 ;

H. 224. An act to pay Francis V. Hassam the sum therein named ;

H. 281. An act making provision for monuments and grounds on the battle field of Gettysburgh ;

H. 303. An act to punish public officers guilty of embezzlement ;

In the passage of which the concurrence of the senate is requested.

Petitions praying for an amendment to make more effective our scientific temperance instruction law, were severally presented and referred to the committee on education ;

By Mr. Bailey,

Petition of W. A. Pepper and 36 other voters and 40 women from Washington.

By Mr. Wells,

Petition of D. C. Smith and 74 other voters and 88 women, from Shelburne, Chittenden county.

Petition of Rev. A. C. Field and 44 other voters and 46 women, of Hinesburgh.

By Mr. Hall,

Petition of W. N. Phelps and 13 other voters and 26 women, citizens of South Hero.

By Mr. Stevens,

Petition of M. A. Bingham and 41 other voters and 69 women, citizens of Essex.

By Mr. Powell,

Petition of Rev. E. W. Culver and 12 other voters and 15 women, citizens of St. Albans.

By Mr. Fletcher,

Petition of Dr. D. R. Story and 69 other voters and 64 women, citizens of Cavendish.

Petition of F. A. Walker and 37 other voters and 52 women, citizens of Ludlow.

Petition of E. A. Warner and 61 other voters and 58 women, citizens of Springfield.

Petition of T. H. Richardson and 90 other voters and 119 women, citizens of Reading and Weston.

By Mr. Slayton,

Petition of Columbus Lovejoy and 28 other voters and 57 women, citizens of Stowe.

Petition of Rev. S. Foster and 82 other voters and 84 women, citizens of Belvidere, Hyde Park and Morristown.

By Mr. Powell,

Petition of Rev. Wm. N. Roberts and 30 other voters and 22 women, citizens of Highgate.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 155. An act to pay Frank H. Atherton the sum therein named ;

H. 210. An act to pay J. Henry Kidder the sum therein named ;



H. 244. An act to pay Francis V. Hassam the sum therein named ;  
To the committee on claims.

H. 186. An act to prohibit the sale or gift of tobacco to persons  
under sixteen years of age ;  
To the general committee.

H. 192. An act relating to nuisances.

H. 205. An act to punish the fraudulent use of borrowed teams ;

H. 303. An act to punish public officers guilty of embezzlement ;  
To the committee on the judiciary.

H. 214. An act to amend an act entitled " an act to amend section  
twenty-nine of an act entitled an act to provide a revenue for the  
payment of state expenses, approved November 28, 1882, approved  
November 25, 1884.

To the committee on finance.

H. 281. An act making provisions for monuments and grounds  
on the battle field of Gettysburgh ;

To the committee on military affairs.

Mr. Hale from the committee on temperance legislation to which  
was referred a house bill entitled

H. 53. An act in addition to chapter one hundred and sixty-nine  
of the Revised Laws ;

Reported recommending that the bill be passed in concurrence  
with proposal of amendment to the house as follows :

By striking out all of section one after the word " shall " in the  
sixth line, and inserting in lieu thereof the words, *issue his warrant  
directed to any sheriff or constable ordering him forthwith to apprehend  
the body of the said respondent, if found in his precinct and to bring  
him before the said justice to make disclosure as provided in section  
one, No. 127, of the laws of 1884. And the said justice shall have  
all the authority in the premises which is given in section 3816 of the  
Revised Laws ;*

Which proposal of amendment was agreed to.

And the bill was ordered to be read the third time to-morrow  
morning.

A message was received from His Excellency, the Governor, by  
Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the governor to inform the senate that on the 8th  
day of November he approved and signed bills originating in the  
senate of the following titles, to wit :

S. 35. An act to pay L. A. Drew the sum therein named ;

S. 58. An act to pay B. Agnes Collins the sum therein named.

Mr. Pierce from the committee on the house of correction, sub-  
mitted the following report, which was, on motion of Mr. Cushing,  
ordered to lie, and the secretary directed to procure the printing of  
the usual number of copies for the use of the general assembly.

REPORT OF THE JOINT COMMITTEE ON THE HOUSE OF  
CORRECTION.

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :

The joint standing committee upon the house of correction, which was instructed by joint resolution, passed in concurrence on October 15th to visit said institution, examine into its sanitary condition and practical working, have performed the duty assigned them, and ask leave to submit the following report :

In company with two of the directors, J. W. Crampton and Charles Thatcher, your committee visited the house of correction (located at Rutland) Friday, October 22d, and were received in a gentlemanly manner by the efficient superintendents, G. N. Eayers and W. H. Richmond.

With the officers of the institution, we made a full examination of the grounds and buildings, and found them in good condition and well adapted to the wants of such an institution, and in excellent sanitary condition.

On the day of our visit there were seventy-four convicts in the prison—sixty-six males and eight females. Fifty-five of the males were busily at work in the marble shop, under a contract with Messrs. Brown & Bagley at thirty cents per day for each laborer. Said contract expires in 1888. The females were engaged sewing and making garments for the inmates ; all of the clothing is made in the institution for the criminals.

Your committee made careful examination of the various rooms and cells of the institution, and were gratified with the neatness and good order that prevailed throughout, and with a continuance of the present order of things feel assured of good health of the convicts in the future.

There are only seventy-six cells for males, and at times there are over one hundred prisoners in the institution to provide for, this increase occurring generally in the extreme cold weather.

Religious services are held every Sabbath, conducted by the chaplain, Rev. J. W. Guernsey, and all of the inmates are required to attend service unless excused by the superintendent.

The committee were informed by the directors and superintendent that the institution was nearly self-supporting, and we are of the opinion that the institution is well and ably managed by the present board of directors and superintendents.

CHESTER PIERCE, }  
WILLIAM WELLS, } *Committee*  
A. Y. GRAY, } *of the Senate.*

R. C. ABELL, }  
C. A. PRATT, } *Committee*  
B. T. LOMBARD, } *of the House.*  
C. W. WHEELER, }  
L. C. ARNOLD, }

Mr. Bunker from the committee on education to which was referred a bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the state of Vermont;

Reported in favor of the passage of the bill when amended by striking out the word "like" at the end of the fifth line in section one;

Which proposal of amendment was disagreed to and on motion of Mr. Baker the bill was ordered to lie and be made the special order for Wednesday at three o'clock in the afternoon.

On motion of Mr. Bates the senate adjourned.

#### AFTERNOON.

A bill entitled

S. 57. An act giving to women the right to vote in certain meetings;

Was taken up as a special order.

The question being, will the senate agree to the proposal of amendment recommended by the committee, it was decided in the affirmative.

Yeas, 17; nays, 11.

Mr. Pierce having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bates,	Foster,	Slayton,
Blake,	Judson,	Stanley,
Chapin,	Marsh,	Stoddard,
Chase,	Pierce,	Valentine,
Cushing,	Powell,	Wright—17.
Fletcher,	Smith,	

Those senators who voted in the negative are Messrs.

Bailey,	Hale,	Stevens,
Baker,	Hall,	Swain,
Bunker,	Nash,	Wells—11.
Clark,	Spear,	

So the amendment was agreed to;

And the bill was refused a third reading.

Yeas, 10; nays, 18.

Mr. Swain having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bates,	Cushing,	Stanley,
Blake,	Foster,	Swain—10.
Bunker,	Pierce,	
Clark,	Smith,	

Those senators who voted in the negative are Messrs.

Bailey,	Hall,	Spear,
Baker,	Judson,	Stevens,
Chapin,	Marsh,	Stoddard,
Chase,	Nash,	Valentine,
Fletcher,	Powell,	Wells,
Hale,	Slayton,	Wright—18.

So the third reading of the bill was refused.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed by the house to request the senate to return to the possession of the house, house bill entitled

H. 186. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age;

I am also directed by the house to return to the possession of the senate, agreeably to their request, house bill entitled

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named;

Mr. Wells moved that the secretary return to the possession of the house, agreeably to its request, a house bill entitled

H. 186. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age;

And the same was agreed to.

A bill entitled

S. 70. An act extending the provisions of act No. 1 of the laws of 1882 to street and horse railroads;

Was read the third time and passed.

Mr. Foster moved that the rules be suspended and that the senate reconsider its vote passing in concurrence, a house bill entitled

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named;

Which was agreed to.

And the question being, will the senate pass the bill in concurrence, on motion of Mr. Foster the bill was ordered to lie.

Mr. Wright from the joint special committee on the Bennington battle monument, presented the following report, which was read and on motion of Mr. Pierce ordered to lie and be printed.

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**REPORT OF THE JOINT COMMITTEE ON THE  
BENNINGTON BATTLE MONUMENT.**

**TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :**

The joint special committee to whom was referred the parts of the governors' messages, relating to the Bennington battle monument would respectfully report :

That they have examined the subject placed in their charge and find that the monument association are not unaware of the desire of the people of the state and elsewhere to see the completion of the important work committed to them, on account of a possible delay which may arise in procuring such title to lands for such a site as they deem necessary before the monument is begun. The committee find that under the general laws of the state, Revised Laws 2709, the association acting in co-operation with the town of Bennington, could take such lands as might be necessary for a site, but there would be likely to arise delays in accomplishing it, should that method be resorted to—such delays, in fact, as frequently occur in the laying out of highways. They also find that by that method they would have to use funds already needed for their monument. Should the state now interpose and furnish a site and do it by the appointment of a commission of representative men of the state in which all would have confidence, the association could at once proceed to erect its monument. The commission should purchase the necessary land for the state, where it could be purchased and taken by the state's right of eminent domain when not, the right of the owners being, of course, properly guarded in the process. It is evidently not the province of the committee to determine how much land should be devoted to a monument three hundred feet high. That is a question for a competent commission to decide after examining the case on the ground, and then only after mature deliberation. Your committee can only report what the probable value of the real estate is which will be likely to be needed and call the attention of the necessity of some action on their part to ensure the early commencement of the work. They find the monument is located in the center of the highway in front of the site of the Old Continental Store-house in a most eligible spot and one that is historically appropriate, likewise. They also find that immediately surrounding it are several buildings which will obstruct the view, and also seriously mar the appearance of the monument by their presence. They are not of such a character as to warrant any association in allowing them to remain in proximity to a fine monument. Attached to some of the dwelling-houses are barns, and other outhouses common to such dwellings. They clearly should be removed. They should be removed, too, before the monument is begun and to a suitable distance from it; also, the limits of the grounds surrounding the monument should be set now, for hereafter it will be impossible to enlarge them should they prove too small, except at a much greater cost than now. We therefore recommend that a commission should be appointed to determine what

should be such limits and one also to appraise and take the property so determined on. The probable cost will, of course, depend on what the commissioners should decide to be necessary, but we feel sure that no commission will consider more than twelve to fifteen thousand dollars necessary, and perhaps none would require so large a sum. The price of real estate in Bennington Center, as in most Vermont villages away from the business center, is low. Recent actual sales of property there have been furnished your committee, and also other evidence so that they give this opinion in entire confidence. It will be hardly necessary, your committee think, to call the attention of the legislature to the importance of the battle of Bennington in determining the fortunes of the Revolutionary war. It has been the theme of historians and of orators and of poets for now more than a century. The "embattled farmers" of New Hampshire, Massachusetts and the then new-born Vermont who won "that August victory in their shirt sleeves, without thought of scene or fame," did their work well. Let us who prize the liberties they then secured for us do our humble work of commemorating them equally well.

To this end your committee would respectfully report the accompanying bill and recommend its passage by the senate and house of representatives.

SMITH WRIGHT, } *Committee on the*  
JOHN BAILEY, } *part of the Senate.*

J. L. BUTTERFIELD, } *Committee*  
E. V. RANDALL, } *on the part of*  
GEO. M. VIALI, } *the House.*  
FRANK C. DENISON, }  
H. O. WARD. }

An accompanying bill entitled

S. 98. An act in relation to the Bennington battle monument ;

Was read the first and second times and under the rule ordered to lie and be printed.

Mr. Stoddard in the chair.

House bills of the following titles were severally reported by Mr. Fletcher from the general committee to which they were referred, in favor of their passage in concurrence :

H. 180. An act relating to fire district No. 1 in the town of Manchester ;

H. 234. An act in amendment of an act entitled an act to incorporate the Dellwood Cemetery Association, approved November 9th, 1865.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Wells from the committee on the judiciary to which was referred a bill entitled

S. 60. An act in amendment of sections 1763, 1765 and 1766 of the Revised Laws relating to the chancering of bonds in liquor cases ;

Reported adversely to its passage and on motion of Mr. Hale the bill was ordered to lie.

Mr. Blake from the special committee on temperance legislation to which was referred a bill entitled

S. 24. An act in amendment of chapter 169 of the Revised Laws and in addition thereto ;

Reported in favor of the passage of the bill and on motion of Mr. Baker the same was ordered to lie.

Mr. Clark from the committee on the judiciary to which was referred a bill entitled

S. 8. An act in amendment of chapter 22, Revised Laws, relating to taxation ;

Reported in favor of the passage of the bill when amended as follows :

First. By inserting after the word "same" in line nineteen, section one, the words, *property of such religious corporations, societies or associations used exclusively for benevolent or charitable purposes;*

Second. By striking out in lines twenty, twenty-one and twenty-two, of the same section the words " to an amount not exceeding in value six thousand dollars."

Pending the question, will the senate agree to the same, on motion of Mr. Bunker the bill was ordered to lie.

Mr. Valentine from the general committee to which was referred a bill entitled

S. 84. An act to incorporate the Barton academy and graded school ;

Reported in favor of its passage.

Thereupon the bill was ordered to be read the third time, read the third time and on motion of Mr. Baker ordered to lie.

Mr. Baker from the committee on the judiciary to which was referred a house bill entitled

H. 46. An act to amend chapter 99 in relation to mortgage of personal property ;

Reported adversely to the passage of the bill in concurrence ;

And the third reading of the bill was refused.

On motion of Mr. Fletcher the senate adjourned.

WEDNESDAY, NOVEMBER 10TH, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Mr. Swain offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That a special committee of two senators and three representatives be appointed by the presiding officer of each house, respectively, to whom all resolutions relating to final adjournment shall be referred, and who shall ascertain and report the earliest day practicable and consistent with the business of the session for the final adjournment of the general assembly ;

And the same was read and adopted on the part of the senate.

Mr. Baker presented a communication relating to the National Board of Promotion ;

Which was referred to the committee on military affairs.

Mr. Marsh presented the petition of James Upham and 27 other voters and 30 women, citizens of Montgomery, praying for a law giving more effective temperance instruction in the public schools ;

And the same was referred to the committee on education.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate bill entitled

S. 7. An act in amendment of section one, No. 12, of the acts of 1884, entitled "an act relating to the repairing of highways and bridges ;"

And have passed the same in concurrence.

The house have on their part adopted a joint resolution relating to a bill before congress, to establish agricultural experiment stations ;

In the adoption of which the concurrence of the senate is requested.

The house have reconsidered the vote concurring in the senate proposal of amendment to house bill entitled



H. 33. An act in amendment of section three of act No. 60 of the laws of 1884, entitled "an act relating to elections;"

And have refused to concur therein.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 12. An act to provide for an appearance in behalf of the state in divorce cases ;

H. 84. An act to pay Gardner J. Wallace the sum therein named ;

H. 163. An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state ;

H. 168. An act granting a pension to Peter Lander ;

H. 170. An act relating to the impeachment of adverse witnesses ;

H. 171. An act laying a tax on the county of Essex ;

H. 172. An act in addition to chapter one hundred and twenty-one of Revised Laws, relating to certificates of marriage ;

H. 152. An act changing the name of Daisy Alice Hutchins ;

H. 178. An act construing subdivision V of section 2362 of the Revised Laws.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Chapin,

S. 99. An act repealing sections 2660 and 2661 of the Revised Laws and a part of section 2658, and abolishing the office of highway surveyor ;

To the committee on highways and bridges.

By Mr. Valentine,

H. 100. An act appropriating 245 and  $\frac{1}{100}$  dollars for the state library building ;

To the the joint committee on the library.

By Mr. Wells,

S. 101. An act to incorporate the Burlington Board of Trade ;

To the general committee.

By Mr. Baker,

S. 102. An act authorizing the transfer of trust funds held by the trustees of the parochial fund of the diocese of Vermont, and the trustees of the fund for aged and infirm clergymen to the trustees of the diocese of Vermont ;

To the committee on the judiciary.

By Mr. Bates,

S. 103. An act to amend chapter 62, Revised Laws, relating to appeals from justices' judgments ;

To the committee on the judiciary.

By Mr. Stanley,

S. 104. An act relating to assessments on the capital stock of the Queen City Park Association ;

To the general committee.

By Mr. Bates,

S. 105. An act relating to judges of the supreme court ;

To the committee on the judiciary.

By Mr. Stoddard,

S. 106. An act in amendment of No. 35 of the acts of 1884, relating to the distribution of public money to school districts ;

To the committee on education.

S. 107. An act in amendment of section 4519 of the Revised Laws relating to the fees of commissioners of jail delivery ;

To the committee on the judiciary.

By Mr. Hall,

S. 108. An act relating to the construction of a bridge from Grand Isle to North Hero ;

To the committee on finance.

By Mr. Baker,

S. 109. An act to change the name of the Pine Hill Cemetery Association and to legalize its action ;

S. 110. An act relating to the village of Rutland, and in amendment of its charter ;

To the general committee.

S. 111. An act to authorize the Tuttle company to republish certain Vermont Reports ;

To the committee on printing.

S. 112. An act relating to appeals from probate courts ;

To the committee on the judiciary.

S. 113. An act to pay the secretary of state the sum therein named ;

To the committee on state and court expenses.

By Mr. Baker (by request),

S. 114. An act relating to offences against private property ;

To the committee on the judiciary.

By Mr. Nash,

S. 115. An act in amendment of an act giving dealers in monuments and copings certain powers ;

To the general committee.

By Mr. Valentine,

S. 116. An act to pay John Nash the sum therein named ;

To the committee on claims.

By Mr. Cushing,

S. 117. An act to repeal No. 18 of the session laws of 1884 ;

To the committee on highways and bridges.

By Mr. Bunker (by request),

S. 118. An act in amendment of chapter 40, Revised Laws, and in addition thereto, relating to compulsory attendance of school children ;

To the committee on education.

By Mr. Baker,

S. 119. An act to amend section 1636 of the Revised Laws relating to counsel in criminal cases ;

To the committee on the judiciary.

By Mr. Wright,

S. 120. An act in amendment of section 4005 of the Revised Laws, relating to fowls running at large ;

To the committee on agriculture.

A house bill entitled

H. 53. An act in addition to chapter 169 of the Revised Laws ;

Was read the third time and passed in concurrence with proposals of amendment.

A bill entitled

S. 32. An act to exempt certain property from taxation :

Was taken up.

Mr. Clark moved that the bill be committed to a senator to amend as follows :

First. By striking out the words " four per cent " whenever they occur in said bill and inserting in lieu thereof the words, *four and one-half per cent* ;

Second. By striking out all of section one after the word " by " in the twelfth line and inserting in lieu thereof the words, *endorsing on the back of each of said notes the words the rate of interest to be paid hereon from and after this date is hereby reduced to four and one-half per cent per annum, dating the same with the true time of so doing and signing the same* ;

Third. By striking out in lines six and seven, section four, the words, " either principal or interest " and inserting in place thereof the words, *any interest thereafter due for the use of such money and such excess so received, with interest thereon, may be recovered back by the person paying the same in an action of assumpsit declaring for money had and received or goods sold and delivered, as the case may be.*

Which proposals of amendment were severally agreed to and the bill was committed to the senator from Rutland to amend, who reported the same back amended agreeably to the instruction of the senate.

Mr. Powell moved that the bill be committed to a senator to further amend by striking out section five ;

Which was disagreed to ;

And the bill was passed.

Yeas, 16 ; nays 11.

Mr. Chase having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,	Hale,	Stanley,
Bates,	Judson,	Stevens,
Blake,	Pierce,	Stoddard,
Chapin,	Smith,	Wright—16.
Clark,	Slayton,	
Foster,	Spear,	

Those senators who voted in the negative are Messrs.

Bunker,	Gray,	Powell,
Chase,	Hall,	Swain,
Cushing,	Marsh,	Wells—11.
Fletcher,	Nash,	

So the bill was passed.

A bill entitled

S. 84. An act to incorporate the Barton academy and graded school ;

Was taken up.

Mr. Baker moved that the bill be committed to a senator to amend by inserting after the word " district " in line five, section three, the words, *whenever said Barton academy shall vote, at a meeting legally called for that purpose, to accept the provisions of this act, and all debts and liabilities of said Barton academy shall be assumed and paid by the corporation hereby created ;*

Which was agreed to and the bill was committed to the senator from Rutland to amend, who reported the same back amended, agreeably to the instructions of the senate.

Whereupon the bill was passed.

On motion of Mr. Baker the senate adjourned.

## AFTERNOON.

Mr. Valentine in the chair.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That, whereas, there was introduced at the first session of the forty-ninth congress a bill commonly known as the "Hatch bill" and entitled "a bill to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July 2d, 1862, and of the acts supplementary thereto," and whereas, said bill is still pending before congress, therefore*

*Resolved, That our senators and representatives in congress are respectfully requested to lend their aid and influence to secure the passage of the said bill ;*

*Resolved, That a copy of these resolutions be forwarded to each of the senators and representative in congress from this state ;*

Was read and adopted in concurrence.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 9th day of November he approved and signed a bill originating in the senate of the following title, to wit :

S. 16. An act in amendment of section 3812 of the Revised Laws, relating to intoxication.

This day he has signed a bill of the following title :

S. 7. An act in amendment of section one of No. 12 of acts of 1884, entitled an act relating to the repairing of highways and bridges.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Cushing,

S. 121. An act in relation to the division of the income of school funds ;

To the committee on education.

By Mr. Baker,

S. 122. An act to pay Doctors Mead, Allen, Fox, Thopson and Stearns the sums therein named ;

To the committee on claims.

S. 123. An act to repeal sections 2391 and 2392 relating to marriage and divorce ;

To the committee on the judiciary.

By Mr. Foster,

S. 124. An act granting certain rights to George F. Cushman and others ;

To the general committee.

By Mr. Cushing,

S. 125. An act in relation to the equalization of school property in towns adopting the town system of schools ;

To the committee on education.

The president resumed the chair.

By Mr. Valentine,

S. 126. An act to restrain and regulate the sale of intoxicating liquor ;

To a special committee consisting of

Senator Valentine,  
Bates,  
Draper.

S. 127. An act in amendment of section 1800 of the Revised Laws of Vermont ;

To the committee on the judiciary.

By Mr. Stanley,

S. 128. An act in amendment of section three of number fifty-two, acts of 1884, approved November 26, 1884, relating to the insane ;

To the committee on the insane asylum.

By Mr. Slayton,

S. 129. An act for the better protection of minors ;

To the committee on education.

By Mr. Valentine,

S. 130. An act to amend section one of act No. 181 of printed laws of 1880 ;

To the committee on banks.

By Mr. Baker,

S. 131. An act to incorporate the Howe scale company of 1886 ;

S. 132. An act to incorporate the Rutland manufacturing company ;

To the committee on the judiciary.

S. 133. An act to amend section 3696 of the Revised Laws ;  
To the general committee.

By Mr. Blake,

S. 134. An act to empower the village of Barton to bring water into said village and to issue bonds therefor ;

To the general committee.

Mr. Hall from the committee on game and fisheries to which was referred a house bill entitled

H. 113. An act in amendment of section one of an act entitled "an act to prevent fishing in the waters of Lake Bomoseen in the towns of Castleton and Hubbardton" approved November 28th, 1882 ;

Reported in favor of the passage of the bill in concurrence.

Thereupon on motion of Mr. Clark the bill was ordered to lie.

Mr. Hale from the committee on federal relations to which was referred a joint resolution relating to the education and citizenship of Indians ;

Reported in favor of the adoption of the same and the resolution was adopted on the part of the senate.

Mr. Stevens from the committee on claims to which was referred a bill entitled

S. 88. An act to pay Jonn B. Reynolds the sum therein named ;

Reported in favor of the passage of the bill when amended by filling the blank in section one with the words, *forty-one dollars and thirty-two cents* ;

Which proposal of amendment was agreed to.

Whereupon the bill was ordered to be read the third time, read the third time and passed.

Mr. Bailey from the committee on claims to which was referred a house bill entitled

H. 89. An act to pay L. D. Miles the sum therein named ;

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

A bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

Was taken up as a special order ;

And on motion of Mr. Hale ordered to lie and be made the special for to-morrow forenoon at ten o'clock and thirty minutes.

A bill entitled

S. 24. An act in amendment of chapter 169 of the Revised Laws, and in addition thereto ;

Was taken up.

Mr. Baker moved that the bill be amended by striking out section two and renumbering sections three and four ;

And the same was agreed to.

Mr. Clark moved that the bill be further amended by striking out in the last line of section one the words "one month" and inserting in lieu thereof the words, *not less than two years* ;

And the same was disagreed to.

Yeas, 1 ; nays, 27.

Mr. Blake having demanded the yeas and nays, they were taken, and are as follows :

That senator who voted in the affirmative was

Mr. Clark—1.

Those senators who voted in the negative are Messrs.

Bailey,	Foster,	Smith,
Baker,	Gray,	Slayton,
Bates,	Hale,	Stanley,
Blake,	Hall,	Stevens,
Bunker,	Judson,	Stoddard,
Chapin,	Marsh,	Swain,
Chase,	Nash,	Valentine,
Cushing,	Pierce,	Wells,
Fletcher,	Powell,	Wright—27.

So the amendment was disagreed to.

Mr. Blake moved to further amend the bill by adding to the last section thereof the words, *but shall not affect any cause now pending under chapter one hundred and sixty-nine, Revised Laws, and amendments thereto.*

Pending the question, will the senate agree to the same,

Mr. Bates moved to amend the amendment proposed by the senator from Orleans by striking out the words "under chapter one hundred and sixty-nine, Revised Laws, and amendments thereto ;"

And the same was disagreed to.

Whereupon the amendment offered by the senator from Orleans was agreed to.

Mr. Bates moved to further amend the bill by striking out in the last line of section one the words "one month" and inserting in lieu thereof the words *six months* ;

And the same was disagreed to.

Yeas, 4 ; nays, 24.

Mr. Clark having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,	Nash,	Valentine—4.
Clark,		

Those senators who voted in the negative are Messrs.

Bailey,	Foster,	Smith,
Baker,	Gray,	Slayton,
Blake,	Hale,	Stanley,
Bunker,	Hall,	Stevens,
Chapin,	Judson,	Stoddard,
Chase,	Marsh,	Swain,
Cushing,	Pierce,	Wells,
Fletcher,	Powell,	Wright—24.

So the amendment was disagreed to.



The question being, shall the bill be read the third time, it was decided in the affirmative.

Yeas, 20 ; nays, 8.

Mr. Pierce having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,	Hall,	Stanley,
Blake,	Judson,	Stevens,
Chase,	Marsh,	Swain,
Clark,	Pierce,	Valentine,
Cushing,	Powell,	Wells,
Foster,	Smith,	Wright—20.
Hale,	Slayton,	

Those senators who voted in the negative are Messrs.

Bailey,	Chapin,	Nash,
Bates,	Fletcher,	Stoddard—8.
Bunker,	Gray,	

And the bill was ordered to be read the third time to-morrow morning.

Mr. Baker offered the following joint resolutions :

*Resolved by the Senate and House of Representatives,* That the messengers employed in the state house shall receive three dollars per day for their services for the present session ;

*Resolved by the Senate and House of Representatives,* That the pay of the janitor, assistant engineer, night watchman and sweepers, for the present session, be at the rate of three dollars per day ;

Which were severally read and referred to the committee on finance.

On motion of Mr. Baker the senate adjourned.

THURSDAY, NOVEMBER 11, 1886.

Reading of scriptures and prayer by the chaplain.

On motion of Mr. Marsh the reading of yesterday's journal was dispensed with.

A bill entitled

S. 24. An act in amendment of chapter one hundred sixty-nine of the Revised Laws and in addition thereto ;

Was read the third time and passed.

S—10.

A bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

Was taken up as a special order. The question being, shall the bill be read the third time, on motion of Mr. Bates the bill was ordered to be recommitted to the committee on education.

A bill entitled

S. 75. An act to incorporate the Citizens' Savings Bank and Trust Company of St. Johnsbury ;

Was taken up and passed.

Mr. Baker from the committee on the judiciary to which was referred a house bill entitled

H. 205. An act to punish the fraudulent use of borrowed teams ;

Reported adversely to the passage of the bill ;

And the same was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution relating to the convict and criminal insane ;

In the adoption of which the concurrence of the senate is requested.

The house have considered a joint resolution from the senate relating to permanent camping grounds ;

And have adopted the same in concurrence.

The house have passed bills of the following titles :

H. 88. An act to pay Charles A. Stiles the sum therein mentioned ;

H. 122. An act to pay George D. Hinman the sum therein named ;

H. 236. An act relating to the construction of a bridge from North Hero to Alburgh ;

H. 277. An act in amendment of and in addition to section 2114 of Revised Laws, relating to allowance to the widow and family of the deceased ;

H. 289. An act to amend section 164 of the Revised Laws, relating to the state geologist ;

In the passage of which the concurrence of the senate is requested.

The house have considered senate bill entitled

S. 48. An act appropriating a certain sum for the soldiers' home of Vermont ;

And have passed the same in concurrence.

The Governor has informed the house that he has approved and signed bills originating in the house, of the following titles :

H. 182. An act granting a ferry to Edwin R. Rockwell ;

H. 108. An act to pay John Mellor the sum therein named ;

H. 2. An act in amendment of No. 130 of the acts of 1884, laws of Vermont ;

H. 234. An act in amendment of an act entitled "an act to incorporate the Dellwood Cemetery Association, approved November 9th, 1865."

Mr. Baker from the committee on insane asylum to which was referred a bill entitled

S. 5. An act in amendment of chapter 139 of the Revised Laws relating to the admission and discharge of insane patients ;

Reported adversely to the passage of the bill and the same was refused a third reading.

Mr. Baker from the committee on the insane asylum, submitted a bill entitled

S. 135. An act in addition to act No. 48 of the acts of 1884, relating to the insane and to repeal section 2907 of the Revised Laws ;

Which was read the first and second times and under the rule ordered to lie and be printed.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the Governor be requested to appoint a commission consisting of three suitable persons to investigate as to the advisability and location of a separate building for the care of the criminal and convict insane, and all matters germane to the subject, and report to the next legislature. The expense of such commission to be paid by the state, not to exceed one hundred dollars ;*

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 88. An act to pay Charles A. Stiles the sum therein mentioned ;

H. 122. An act to pay George D. Hinman the sum therein named ;  
To the committee on claims.

H. 236. An act relating to the construction of a bridge from North Hero to Alburgh ;

To the committee on highways and bridges.

H. 277. An act in amendment of and in addition to section 2114 of the Revised Laws, relating to allowance to the widow and family of the deceased ;

To the committee on the judiciary.

H. 289. An act to amend section 164 of the Revised Laws, relating to the state geologist;

To the committee on manufactures.

Mr Baker from the committee on the judiciary to which was referred a bill entitled

S. 47. An act relating to the discharge of persons imprisoned in bastardy cases;

Reported adversely to its passage and the bill was refused a third reading.

Mr. Baker from the committee on the judiciary submitted a bill entitled

S. 136. An act in amendment of chapter 82 of the Revised Laws relating to the discharge of persons imprisoned in bastardy cases;

Which was read the first and second times and under the rule ordered to lie and be printed.

Senator Foster in the chair.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage;

By Mr. Smith from the committee on finance,

S. 94. An act to amend section 171 of the Revised Laws and to provide for an executive clerk;

By Mr. Wright from the committee on land taxes;

S. 82. An act in addition to No. 265 of the acts of 1884, entitled an act laying a tax on the county of Rutland;

By Mr. Hale from the committee on temperance legislation.

S. 95. An act in amendment of chapter 169 of the Revised Laws relating to the traffic in intoxicating liquor;

Whereupon the bills were severally ordered to be read the third time to-morrow morning.

Mr. Clark from the committee on the judiciary to which was referred a house bill entitled

H. 106. An act in amendment of and in addition to an act entitled "an act providing for the re-issuing of warrants for the collection of taxes in certain cases" approved November 29th, 1882;

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house as follows:

First. By adding to section one the words, *and the same may be further re-issued from time to time in the same manner*;

Second. By adding to section two the words, *but no warrant shall in any case be re-issued after three years from the date thereof*;

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time to-morrow morning.

Mr. Fletcher from the general committee to which was referred a bill entitled

S. 29. An act to prevent the spreading of contagious diseases and to establish a state board of health ;

Reported in favor of the passage of the bill when amended as follows :

First. By striking out in line three, section one, the word "six" and inserting in lieu thereof the word *three* ; also by striking out in line seven, same section, the word "two" and inserting in lieu thereof the word *one*.

Second. By inserting after the word "towns" in the fourteenth line, section five, the words, *or the mayor of a city*.

Third. By striking out in lines one, two and three of section six the words, "for services rendered shall not exceed two thousand dollars," and inserting in lieu thereof the words, *including the secretary for services rendered and all expenses incurred shall not exceed fifteen hundred dollars* ; also by striking out in line ten of the same section the words "three thousand" and inserting in lieu thereof the words, *twenty-five hundred* ;

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time to-morrow morning.

Mr. Chase from the committee on military affairs to which was referred a house bill entitled

H. 281. An act making provision for monuments and grounds on the battle field of Gettysburgh ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house by striking out in line seven, section two, the word "engaged" and inserting in lieu thereof the word *present* ;

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow morning.

Mr. Fletcher from the committee on railroads to which was referred a house bill entitled

H. 121. An act relating to the Brattleboro and Bennington Railroad Company ;

Reported in favor of the passage of the bill ;

And the bill was ordered to be read the third time, read the time and passed in concurrence.

Mr. Chapin from the committee on railroads to which was referred a bill entitled

S. 40. An act regulating the running of railroad trains on Sunday ;

Reported for a majority of the committee adversely to the passage of the bill, and on motion of Mr. Blake the same was ordered to lie.

On motion of Mr. Hale the senate adjourned.

## AFTERNOON.

Mr. Baker from the committee on the judiciary to which was referred a house bill entitled

H. 238. An act to amend section 1968 of the Revised Laws ;

Reported in favor of the passage of the bill in concurrence with proposals of amendment to the house as follows :

By striking out all of section two and amending the title so that it shall read as follows : *An act relating to personal mortgages ;*

Which proposals of amendment were agreed to and the bill was ordered to be read the third time to-morrow morning.

Mr. Wells from the committee on banks to which was referred a house bill entitled

H. 193. An act to incorporate the People's Trust Company of St. Albans ;

Reported in favor of its passage and the bill was read the third time and passed in concurrence.

A house bill entitled

H. 33. An act in amendment of section three of act No. 60 of the laws of 1884, entitled "an act relating to elections ;"

Was taken up, having been returned from the house.

The question being, will the senate insist on or recede from its proposal of amendment,

On motion of Mr. Judson the bill was ordered to lie.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 48. An act appropriating a certain sum for the soldiers' home of Vermont.

A bill entitled

S. 8. An act in amendment of chapter 22 of the Revised Laws in relation to taxation ;

Was taken up, the pending proposals of amendment of the committee were severally agreed to and the bill was ordered to be read the third time to-morrow morning.

Senator Stanley in the chair.

Mr. Hale from the committee on temperance legislation to which was referred a bill entitled

S. 95. An act in amendment of chapter 169 of the Revised Laws relating to the traffic in intoxicating liquor ;

Reported in favor of the passage of the bill and the same was ordered to be read the third time to-morrow morning.

Mr. Spear from the committee on highways and bridges to which was referred a house bill entitled

H. 236. An act relating to the construction of a bridge from North Hero to Alburgh ;

Reported in favor of the passage of the bill in concurrence and the bill was ordered to be read the third time to-morrow morning.

Mr. Blake from the judiciary committee to which was referred a bill entitled

S. 114. An act relating to offences against private property ;

Reported adversely to its passage and the bill was refused a third reading.

Mr. Bunker from the committee on education to which was recommended a bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont :

Reported recommending that the bill be amended as follows :

First. By striking out the word " like " in line five, section one.

Second. By changing the first fifteen lines of section third, so as to read as follows :

*It shall be the duty of the proper officers in control of any school described in section one of this act, to enforce the provisions of this statute ; and any teacher who shall neglect or refuse to comply with the requirements of this act shall be discharged and the vacancy filled as in other cases ; and any such officer, school committee or superintendent who shall neglect or fail to make proper provisions for the instruction required and in the manner specified by the first and second sections of this act, for all pupils in each and every grade of all schools under his or her jurisdiction, may be cited before any judge of the supreme court upon complaint of any voter in such town, and upon hearing, such judge shall make such order in the premises as will secure a full compliance with the provisions of this act, and may punish any disobedience of each order as in cases of contempt ;*

Third. By adding to section five the following words : *except those referring to the examination of teachers in this branch ;*

Which proposals of amendment were severally agreed to.

Mr. Wright moved that the bill lie and be printed as amended and the same was disagreed to.

Yeas, 5 ; nays, 21.

Mr. Wright having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,	Clark,	Wright—5
Baker.	Gray,	

Those senators who voted in the negative are Messrs.

Blake,	Hale,	Smith,
Bunker,	Hall,	Slayton,
Chapin,	Judson,	Spear,
Chase,	Marsh,	Stevens,
Cushing,	Nash,	Stoddard,
Draper,	Pierce,	Swain,
Foster,	Powell,	Valentine—21.

And the motion to lie was disagreed to.

The president resumed the chair.

The question being shall the bill be read the third time, it was decided in the affirmative.

Yeas, 25 ; nays, 1.

Mr. Valentine having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs :

Baker,	Gray,	Spear,
Blake,	Hale,	Stanley.
Bunker,	Hall,	Stevens,
Chase,	Marsh,	Stoddard,
Clark,	Nash,	Swain,
Cushing,	Pierce,	Valentine,
Draper,	Powell,	Wright—25.
Fletcher,	Smith,	
Foster,	Slayton,	

That senator who voted in the negative was

Mr. Chapin,—1.

And the bill was ordered to be read the third time to-morrow morning.

A house bill entitled

H. 110. An act to amend section 3857 of the Revised Laws ;  
Was taken up and the bill was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 123. An act to legalize the quadrennial valuation and grand list of the town of Windsor for 1886 ;



H. 183. An act to incorporate the American Commercial Company ;

H. 208. An act to provide for filling certain vacancies in the general assembly ;

In the passage of which the concurrence of the senate is requested.

Mr. Draper from the committee on claims to which was referred a house bill entitled

H. 111. An act to pay H. C. Hazelton the sum therein named ;

Reported in favor of its passage ;

And the bill was read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 123. An act to legalize the quadrennial valuation and grand list of the town of Windsor for 1886 ;

To the committee on the grand list.

H. 183. An act to incorporate the American Commercial Company ;

To the general committee.

H. 208. An act to provide for filling certain vacancies in the general assembly ;

To the committee on the judiciary.

On motion of Mr. Spear the senate adjourned.

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FRIDAY, NOVEMBER 12, 1886.

Reading of scriptures and prayer by the chaplain.

On motion of Mr. Pierce the reading of yesterday's journal was dispensed with.

Mr. Bunker presented the petition of the officers of the Vermont Woman's Suffrage Association, praying for the passage of a law for the better protections of girls ;

And the same was referred to the committee on elections.

Mr. Smith presented the petition of Rev. J. Frank Rhoades and 138 other voters and 154 women, asking for the passage of a law for better temperance instruction in the public schools ;

And the same was referred to the committee on education.

A bill entitled

S 29. An act to prevent the spreading of contagious diseases and to establish a state board of health ;

Was read the third time.

Thereupon on motion of Mr. Spear the bill was ordered to lie.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered joint resolution from the senate relating to final adjournment ;

And have adopted the same in concurrence.

The house have passed bills of the following titles :

H. 175. An act to incorporate the Willard Manufacturing Company ;

H. 235. An act laying a tax on the county of Bennington ;

H. 291. An act in amendment of an act entitled " an act to amend an act to incorporate the village of Montpelier, approved November 26th, 1872 ;

H. 292. An act relating to the boards of water commissioners and street commissioners of the city of Vergennes ;

H. 358. An act laying a tax on the county of Orange ;

In the passage of which the concurrence of the senate is requested.

The house have considered senate proposal of amendment to house bill entitled

H. 53. An act in addition to chapter one hundred and sixty-nine of the Revised Laws ;

And have concurred therein.

The governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 89. An act to pay L. D. Miles the sum therein named ;

H. 180. An act relating to fire district No. 1 in the town of Manchester.

The president announced as the committee on the part of the senate on final adjournment

Senator Clark,  
Swain.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 175. An act to incorporate the Willard Manufacturing Company ;

H. 291. An act in amendment of an act entitled an act to incorporate the village of Montpelier, approved November 26, 1872 ;

H. 292. An act relating to the boards of water commissioners and street commissioners of the city of Vergennes ;

To the general committee.

H. 235. An act laying a tax on the county of Bennington ;

To a select committee consisting of the senators from Bennington county ;

H. 358. An act laying a tax on the county of Orange ;

To a select committee consisting of the senators from Orange county.

Bills of the following titles were severally read the third time and passed :

S. 8. An act in amendment of chapter 22 of the Revised Laws relating to taxation ;

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

S. 82. An act in addition to No. 265 of the acts of 1884, entitled " an act laying a tax on the county of Rutland ;"

S. 94. An act to amend section 171 of the Revised Laws and to provide for an executive clerk ;

S. 95. An act in amendment of chapter 169 of the Revised Laws relating to the traffic in intoxicating liquors ;

S. 96. An act fixing the terms of certain state officers.

A house bill entitled

H. 236. An act relating to the construction of a bridge from North Hero to Alburgh ;

Was read the third time and passed in concurrence.

House bills of the following titles were severally read the third time and passed in concurrence with proposals of amendment :

H. 106. An act in amendment of and in addition to an act entitled " an act providing for the re-issuing of warrants for the collection of taxes in certain cases," approved November 29th, 1882 ;

H. 238. An act to amend section 1968 of the Revised Laws.

A house bill entitled

H. 281. An act making provisions for monuments and grounds on the battle field of Gettysburgh ;

Was read the third time.

Mr. Wells moved that the senate propose to the house to further amend the bill by inserting in line thirteen, section one, after the word "on" the word, *or near*;

Which was agreed to and the bill was passed in concurrence with proposals of amendment.

Mr. Marsh from the committee on agriculture to which was referred a bill entitled

S. 120. An act in amendment of section 4005 of the Revised Laws, relating to fowls running at large ;

Reported in favor of its passage ;

And the bill was ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate bills of the following titles :

S. 52. An act fixing the salary of supreme court judges and amending section 792 of the Revised Laws ;

S. 71. An act to amend an act entitled an act in addition to an act to incorporate the National Life Insurance Company of the United States ;

S. 81. An act to incorporate the Rutland Electric Light Company and to legalize its action ;

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 137. An act to amend section six of No. 2 of acts of 1882 ;

H. 148. An act providing for the payment to E. R. Long of the sum therein named ;

H. 197. An act in relation to the sale of railroads under a decree or judgment ;

H. 297. An act to pay E. W. Howe the sum therein named ;

H. 300. An act in addition to chapter one hundred thirty-four of the Revised Laws entitled "fire districts ;"

307. An act in addition to No. 94 of public acts of 1884 ;

H. 309. An act in amendment of section 1556 of the Revised Laws and in addition thereto ;

H. 365. An act to protect fish in Silver Lake in the town of Franklin ;

In the passage of which the concurrence of the senate is requested.

President *pro tempore* in the chair.

Mr. Bates from the committee on the judiciary to which was referred a bill entitled

S. 105. An act relating to judges of supreme court ;

Reported in favor of the passage of the bill when amended by striking out the last two words of section one and by adding to section one the words, *in which they have already been appointed* ;

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow morning.

Mr. Wells from the committee on the judiciary to which was referred a bill entitled

S. 119. An act to amend section 1636 of the Revised Laws relating to counsel in criminal cases ;

Reported in favor of the passage of the bill ;

And the same was ordered to be read the third time to-morrow morning.

Mr. Smith from the special committee consisting of the senators from Washington county, to which was referred a house bill entitled

H. 254. An act laying a tax on the county of Washington ;

Reported in favor of the passage of the bill in concurrence ;

And the same was ordered to be read the third time to-morrow morning.

On motion of Mr. Baker the senate adjourned.

#### AFTERNOON.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 137. An act to amend section six of No. 2 of the acts of 1882 ;  
To the committee on the grand list.

Senator Wells in the chair.

H. 148. An act providing for the payment to E. R. Long of the sum therein named ;

H. 297. An act to pay E. W. Howe the sum therein named ;  
To the committee on claims.

H. 197. An act in relation to the sale of railroads under a decree or judgment ;

H. 307. An act in addition to act No. 94 of public acts of 1884 ;

H. 309. An act in amendment of section 1556 of the Revised Laws and in addition thereto ;

To the committee on the judiciary.

H. 300. An act in addition to chapter one hundred thirty-four of the Revised Laws entitled " fire districts ;"

To the general committee.

H. 365. An act to protect fish in Silver Lake in the town of Franklin ;

To the joint committee on game and fisheries.

Joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the auditor be directed to furnish to the senate and house of representatives a detailed statement of all orders drawn in the last two years for salaries and expenses of the curator of the cabinet, fish commissioners, board of agriculture and state geologist and for analyzing fertilizers or phosphates ;

Was read and on motion of Mr. Cushing ordered to lie.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage ;

And the same were severally ordered to be read the third time to-morrow morning :

By Mr. Foster from the committee on finance,

S. 92. An act to amend section 2674 of the Revised Laws of Vermont relating to bonds of town officers ;

By Mr. Bunker from the committee on education.

S. 93. An act incorporating the Rochester graded school district :

By Mr. Hale from the committee on the judiciary,

S. 103. An act to amend chapter sixty-two, Revised Laws, relating to appeals from justices judgments ;

By Mr. Blake from the committee on the judiciary,

S. 123. An act to repeal sections 2391 and 2392 relating to marriage and divorce ;

Mr. Stoddard from the committee on the judiciary to which was referred a bill entitled

S. 102. An act authorizing the transfer of trust funds held by the trustees of the parochial fund of the diocese of Vermont, and the trustees of the fund for aged and infirm clergymen, to the trustees of the diocese of Vermont ;

Reported in favor of the passage of the bill.

Thereupon the bill was read the third time and passed.

Mr. Stanley from the general committee to which was referred a house bill entitled

H. 226. An act to incorporate the Rogers and Hazard Relief Society ;

Reported in favor of the passage of the bill.

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 29. An act to prevent the spreading of contagious diseases and to establish a state board of health ;

Was taken up.

The question being shall the bill be pass,

Mr. Spear moved that the bill be committed to a senator to amend by striking out all of section six after the word " year " in the eleventh line thereof, and by prefixing to the same section the words following :

*The compensation of members of the board shall be three dollars per day and actual expenses while in discharge of their official duties, and the governor and auditor of accounts may allow to the secretary of said board such additional sum for services as secretary, or for services in times of extraordinary peril as seem to them reasonable, provided.*

Pending the question will the senate agree to the same,

Mr. Valentine moved to amend the pending proposal of amendment by striking out in the second line thereof the word " three " and inserting in lieu thereof the word *five* ;

Which was agreed to ;

And the amendment offered by the senator from Orange as amended was agreed to.

Thereupon the bill was committed to the senator from Orange to amend, who reported the same back amended agreeably to the instructions of the senate ;

Whereupon the bill was passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence ;

And the same were ordered to a third reading to-morrow morning :

By Mr. Valentine from the general committee,

H. 183. An act to incorporate the American Commercial Company ;

By Mr. Clark from the committee on the judiciary,

H. 271. An act relating to appeals in criminal cases ;

H. 277. An act in amendment of, and in addition to, section 2114 of Revised Laws, relating to allowance to the widow and family of the deceased ;

By Mr. Bates from the committee on the judiciary,

H. 191. An act to punish town treasurers and others who embezzle moneys in official capacity ;

By Mr. Judson from the committee on finance,

H. 214. An act to amend an act entitled "an act to amend section 29 of an act entitled an act to provide a revenue for the payment of state expenses," approved November 28th, 1882, approved November 25th, 1884.

The president resumed the chair.

A bill entitled

S. 136. An act in amendment of chapter 82 of the Revised Laws, relating to the discharge of persons imprisoned in bastardy cases :

Was taken up, and ordered to be read a third time to-morrow morning.

A bill entitled

S. 40. An act regulating the running of railroad trains on Sunday ;

Was taken up ;

And the same was refused a third reading.

Mr. Hale offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the Governor be authorized to provide a suitable pedestal for the statue of the late Jacob Collamer, heretofore placed in the national capital by the State of Vermont, and which has thus far stood upon a wooden frame covered with a cheap cotton fabric with nothing whatever to mark its identity or indicate the state by which it was contributed, and the auditor of accounts is hereby directed to draw his order on the state treasurer for the necessary expenses ;*

Which was read and adopted on the part of the senate.

On motion of Mr. Valentine the senate adjourned.



SATURDAY, NOVEMBER 13<sup>TH</sup>, 1886.

Reading of scriptures and prayer by the chaplain.

Journal of yesterday read and approved.

Mr. Valentine from the special committee to which was referred a bill entitled

S. 126. An act to restrain and regulate the sale of intoxicating liquor ;

Submitted the following report which was, on motion of Mr. Bunker, ordered to lie and be printed :

REPORT OF SPECIAL COMMITTEE ON SENATE BILL  
NO. 126.

TO THE HONORABLE SENATE :

The special committee to which was referred senate bill No. 126, entitled "an act to restrain and regulate the sale of intoxicating liquor respectfully submit the following report :

We consider the true object of legislation upon this subject to be to adopt such laws as will most effectually restrain and prevent the sale of all intoxicants as a beverage. We find that our present prohibitory law has been in force for a period of about thirty-four years ; that it has constantly been changed, receiving strengthening additions and enlargement of application, with constantly increasing penalties for its infraction, until human ingenuity has been almost exhausted in the effort to make its provisions effectual to accomplish the fact of actual prohibition. Every feature of prohibitory law asked by the most zealous advocates of prohibitory legislation has been freely adopted ; and money, effort, teaching and legislation have been expended with lavish generosity to secure its enforcement.

But notwithstanding all this we are informed by our Governor in his inaugural message : " That the laws of the state on this subject are in many places openly violated and flagrantly disregarded, is an open secret ; and that in some instances, too numerous to be contemplated without concern, those upon whom has been, or is, imposed the sworn duty of its faithful execution, are its violators, and are blind or indifferent to its violation by others, is also but too well known."

That this language is fully justified by the facts, no one can justly deny. Painful as the truth may be, the fact remains that with all effort and law expended upon the subject, the body of our prohibitory legislation is, in practical effect, but a local option law; enforced as a prohibitory law where public sentiment will admit of its being done, and resulting in free sales of intoxicating liquors where public sentiment does not procure its enforcement. And with this painful truth, comes another equally so, which is, that public sentiment sufficient for the enforcement of the law, exists in but few of our towns and villages; and that in nearly all of them the sale of liquor is practically free and unrestricted.

This experience is not confined to our own state. From Maine's most earnest temperance advocate comes the despairing cry that her prohibitory law is a failure; and from all states of long experience in temperance legislation, where the semblance of prohibition now remains, comes similar testimony; and many have abandoned prohibition which does not prohibit, and adopted stringent laws to restrain and regulate that which experience shows cannot be completely destroyed.

In view of these facts, the minds of many of our most earnest temperance people have become convinced that some radical change is necessary; (indeed, the evil is such as to cause the formation of a new political party, which makes this subject the only one for its consideration); and cumulative prohibitory laws having proved ineffectual, many now believe that the traffic can be best controlled by the enactment of some well guarded law containing the best known features of self enforcement, whereby the sale of intoxicating liquors, under careful restrictions, may be permitted in towns that desire to adopt its provisions. This view is shared by all classes—business men, employers of labor, temperance advocates, and workers of unquestionable integrity of purpose, the religious, as well as the secular, press of the land, men high in official positions in the government of our state and nation, men of great experience in the manner of the enforcement of our prohibitory law, like the judges of our courts and the oldest and wisest of our practicing lawyers, and even distinguished members of the clergy often giving free expression to the thought.

Painful as these facts may be to your minds, your committee can but declare their truth, and report their judgment upon calm reflection thereon.

We deem this bill in effect a local option law, providing for prohibition with increased penalties in towns where the public voice will so decide and for carefully regulated sales of intoxicating liquors by responsible persons, under arbitrary rules and close restrictions, where license is demanded by the people. It is substantially the law that has long been in force in Nebraska, and its main features have been adopted in some other states of the Union. The practical working of this law where it is in existence, has resulted in a marked decrease in the sale and use of ardent spirits.

By the provisions of the bill, this act, if passed by the legislature, presents to the consideration of the people of the state the question whether they will substitute its provisions for our present prohibitory law. Some three months are to elapse before the matter comes before them to be voted upon. It is a measure that will cause great discussion in the state by the public press; and in debate of the temperance question in all its phases; and particularly of the merits and demerits of our present law, as well as of this bill. If not adopted by the people, the benefit of a full discussion of the subject, and a turning of the public mind to the temperance question and the needs of the temperance cause, will have resulted, from which great good may result and from which no harm can come.

In view of all which, your committee report, that in their opinion, for the purposes aforesaid, that the bill ought to pass; but they further recommend, and hereby report a bill, entitled "an act to prevent treating in saloons and other public places," which they think should pass as an auxiliary of the main bill, to come in force when the main bill becomes a law, if it ever does.

A. B. VALENTINE, }  
 HENRY C. BATES, } *Committee.*  
 JOHN F. DRAPER. }

An accompanying bill entitled

S. 137. An to prevent treating in saloons and other public places;

Was read the first and second times and under the rule, ordered to lie and be printed, and on motion of Mr. Valentine made a special order for Tuesday next at two o'clock and thirty minutes, in the afternoon.

Mr. Hall moved that a bill entitled

S. 108. An act relating to the construction of a bridge from Grand Isle to North Hero;

Be recalled from the committee on finance and referred to the committee on highways and bridges;

And the same was agreed to.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have on their part adopted a joint resolution providing for furnishing the new library building;

In the adoption of which the concurrence of the senate is requested.

The house have passed bills of the following titles:

H. 118. An act to amend an act to establish the Fair Haven graded school district;

H. 263. An act to incorporate the village of Enosburgh Falls;

H. 326. An act to incorporate the Rutland Soldiers' Memorial Hall Library Association ;

H. 329. An act to legalize the grand list of the town of Newport for the years 1884, 1885 and 1886 ;

H. 349. An act to incorporate the White River Savings Bank ;

In the passage of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bills of the following titles :

H. 106. An act in amendment of, and in addition to, an act entitled " an act providing for the re-issuing of warrants for the collection of taxes in certain cases," approved November 29, 1882 ;

H. 238. An act relating to personal mortgages ;

H. 281. An act making provision for monuments and grounds on the battlefield of Gettysburgh ;

And have concurred therein.

The house have considered senate bills of the following titles :

S. 73. An act to incorporate the Standard Light and Power Manufacturing Company ;

S. 64. An act to enable the town of Rockingham to issue its bonds for the purpose of defraying the expense of building a town house ;

And have passed the same in concurrence.

The house have considered senate bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 19. An act relating to the election and term of office of selectmen, listers and auditors ;

S. 62. An act in amendment of section 2010 of the Revised Laws, relating to legal holidays ;

S. 66. An act to provide for the appointment of stenographic reporters in certain cases ;

And have refused the same a third reading.

The house have appointed on their part as committee under joint resolution relating to final adjournment.

Mr. Abell of West Haven,  
Mr. Hathaway of Hardwick,  
Mr. Wheeler of Irasburgh.

The Governor has informed the house that he has approved and signed a bill originating in the house of the following title :

H. 121. An act relating to the Brattleboro and Bennington Railroad Company.

Bills of the following titles were severally read the third time and passed :

S. 92. An act to amend section 2674 of the Revised Laws of Vermont relating to bonds of town officers ;

S. 93. An act to incorporate the Rochester graded school ;

S. 103. An act to amend chapter sixty-two, Revised Laws, relating to appeals from justice's court ;

S. 105. An act relating to judges of supreme court ;

S. 119. An act to amend section 1636 of the Revised Laws ;

S. 120. An act in amendment of section 4005 of the Revised Laws, relating to fowls running at large ;

S. 123. An act to repeal sections 2391 and 2392 of the Revised Laws, relating to marriage and divorce ;

S. 136. An act in amendment of chapter 82 of the Revised Laws, relating to the discharge of persons imprisoned in bastardy cases.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 183. An act to incorporate the American Commercial Company ;

H. 214. An act to amend an act entitled " an act to amend section 29 of an act entitled ' an act to provide a revenue for the payment of state expenses,' approved November 28th, 1882 ; approved November 25th, 1884 ;"

H. 254. An act laying a tax on the county of Washington ;

H. 271. An act relating to appeals in criminal cases ;

H. 277. An act in amendment of and in addition to section 2114 of Revised Laws, relating to allowance to the widow and family of the deceased ;

H. 303. An act to punish public officers guilty of embezzlement.

A bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

Was taken up, having been returned from the house with proposals of amendment as follows :

By adding the following sections :

SECTION 2. Any testimony heretofore taken by deposition or otherwise in writing, in any cause now pending, upon due notice to and appearance and examination by the adverse party, if otherwise legally taken, may be admitted in evidence on the trial of said cause if the same would be admissible by virtue of the preceding section, notwithstanding the witnesses whose testimony

has been so taken are husband and wife. Provided that this act shall not effect or modify any ruling or decision already made in any cause.

SECTION 3. In matters of business transactions, where the transaction was conducted by a husband as the agent of his wife, or by the wife as the agent of her husband, both husband and wife shall be competent witnesses for each other.

SECTION 4. In all civil actions, either in law or equity, upon causes of action hereafter arising, husbands and wives shall be competent witnesses for or against each other. Provided that neither shall be admitted to testify to conversations had with each other.

SECTION 5. This act shall take effect from its passage.

Pending the question, will the senate concur in the amendments proposed by the house,

On motion of Mr. Stoddard the bill was ordered to be printed, as proposed to be amended, and re-referred to the committee on the judiciary ;

Mr. Valentine from the general committee submitted a bill entitled

S. 138. An act in amendment of section 3276 of the Revised Laws, relating to private corporations by voluntary association ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Spear from the special committee to which was referred a house bill entitled

H. 358. An act laying a tax on the county of Orange ;

Reported in favor of the passage of the bill in concurrence and the same was ordered to be read the third time Monday morning.

Senator Smith in the chair.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the sergeant-at-arms be directed to furnish the supreme court room, the library room and other rooms in the new state library building at an expense not exceeding twenty-five hundred dollars ;

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 118. An act to amend an act to establish the Fair Haven graded school district ;

To the committee on education.

H. 263. An act to incorporate the village of Enosburgh Falls ;

H. 326. An act to incorporate the Rutland Soldiers' Memorial Hall Library Association :

To the general committee.

H. 329. An act to legalize the grand list of the town of Newport for the years 1884, 1885 and 1886 ;

To the committee on the grand list.

H. 349. An act to incorporate the White River Savings Bank ;  
To the committee on banks.

Mr. Wright from the general committee to which was referred a house bill entitled

H. 291. An act in amendment of an act entitled "an act to amend an act to incorporate the village of Montpelier," approved November 26th, 1872 ;

Reported in favor of the passage of the bill and the same was read a third time and passed in concurrence.

Mr. Baker from the committee on railroads to which was referred a house bill entitled

H. 220. An act to enable the town of Springfield to aid in the construction of the Springfield railroad ;

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows :

First. By striking out all of section two after the word " shall " in the thirteenth line and inserting in lieu thereof the words, *within one month after the meeting at which said aid was voted, prepare a contract of assent, which shall contain a copy of said vote and the date of its adoption by the town meeting, and shall set forth that the subscribers thereto are tax payers of said town of Springfield, and that they assent to the granting of said aid by said town; and said paper shall be presented to the resident tax payers of said town of Springfield for their signatures so far as the same is practicable, and the amount of each tax payer's grand list shall be annexed to his name signed to said paper, and each signature shall be witnessed by one of said commissioners or selectmen; and if, at the expiration of six months from the time the first signature to said assent is made, a majority of the tax payers of said town, both in number of tax payers and amount of grand list, shall have signed their names to said assent the same shall be binding on the town; but if such majority have not so assented, said vote shall be void and said commissioners or selectmen shall proceed no further under it.*

Second. By striking out all of section three after the word "same" in the ninth line and inserting in lieu thereof the words, *showing that this act has been complied with and that said assent has been given as aforesaid by a majority of the tax payers in said town, both in numbers and amount, with the certificate of the town clerk that the same has been duly recorded in his office, shall be recorded in the office of the secretary of state; and certified copies from either office shall be received in evidence in any court in this state as proof of the said facts set forth in said records.*

Third. That section five be amended by striking out the words " vote and " in the seventh line thereof, and by striking out the word " votes " in the tenth line of th same section and inserting in lieu thereof the words, *acts under this statute ;*

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time Tuesday morning.

Mr. Foster moved that when the senate adjourns it be to meet on Monday afternoon at two o'clock ;

And the same was disagreed to.

Yeas, 6 ; nays, 12.

Mr. Valentine having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,	Draper,	Hale,
Blake,	Foster,	Wells—6.

Those senators who voted in the negative are Messrs.

Bunker,	Pierce,	Stoddard,
Chapin,	Powell,	Swain,
Hall,	Smith,	Valentine
Judson,	Stevens,	Wright—12.

Mr. Baker moved that the senate reconsider its vote passing a bill entitled

S. 120. An act in amendment of section 4005 of the Revised Laws, relating to fowls running at large ;

And the same was disagreed to.

Thereupon on motion of Mr. Baker the bill was ordered to lie.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 12th, day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 71. An act to amend an act entitled an act in addition to an act to incorporate the National Life Insurance Company of the United States ;

S. 81. An act to incorporate the Rutland Electric Light Company and to legalize its action ;

S. 52. An act fixing the salary of supreme court judges and amending section 792 of the Revised Laws ;

On motion of Mr. Judson the senate adjourned.



## AFTERNOON.

Mr. Blake from the committee on temperance legislation to which was referred a bill entitled

S. 67. An act to amend section 3855 of the Revised Laws and in addition thereto ;

Reported in favor of the passage of the bill when amended by inserting after "3843" in line six of section one, 3851 and 3852 ;

Which proposal of amendment was agreed to ;

And the bill was ordered to be read the third time Monday morning.

Mr. Slayton from the committee on agriculture to which was referred a bill entitled

S. 18. An act to protect and encourage the growth of forests ;

Reported the same back without an expression of opinion ;

And on motion of Mr. Baker the same was ordered to lie.

Mr. Wright from the general committee to which was referred a bill entitled

S. 101. An act to incorporate the Burlington Board of Trade ;

Reported in favor of its passage and the bill was read the third time and passed.

Mr. Swain from the committee on printing to which was referred a bill entitled

S. 85. An act relating to state printing, stationery and stationers' supplies ;

Reported in favor of the passage of the bill.

The question being, shall the bill be read the third time, it was decided in the affirmative.

Yeas, 11 ; nays, 3.

Mr. Baker having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Blake,	Pierce,	Stoddard,
Bunker,	Powell,	Swain,
Chapin,	Smith,	Wright—11.
Hall,	Stevens,	

Those senators who voted in the negative are Messrs.

Baker,	Judson,	Wells—3.
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Thereupon Mr. Baker moved that the senate do now adjourn ;

And the same was disagreed to.

Whereupon the bill was ordered to be read the third time Monday morning.

Mr. Swain moved that the senate reconsider its vote refusing a third reading to a bill entitled

S. 40. An act regulating the running of railroad trains on Sunday ;

Pending the question, will the senate agree to the same, Mr. Bates moved that the motion to reconsider be ordered to lie and the same was agreed to.

On motion of Mr Bates the senate adjourned.

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MONDAY, NOVEMBER 15, 1886.

Reading of scriptures and prayer by Rev. J. T. Buzzell, a member of the house of representatives from the town of Jay.

Journal of Saturday read and approved.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Wells from the committee on banks,

S. 130. An act to amend section one of act No. 181 of the printed laws of 1880 ;

By Mr. Draper from the committee on highways and bridges,

S. 99. An act repealing sections 2660 and 2661 of the Revised Laws and a part of section 2658, and abolishing the office of highway surveyor ;

By Mr. Powell from the committee on printing,

S. 111. An act to authorize the Tuttle Company to republish certain Vermont Reports ;

By Mr. Valentine from the general committee,

S. 133. An act to amend section 3696 of the Revised Laws;

And the same were severally ordered to be read the third time to-morrow morning.

Mr. Slayton from the committee on agriculture to which was referred a house bill entitled

H. 83. An act to amend section 3184 of the Revised Laws, relating to fences;

Reported in favor of the passage of the bill in concurrence and on motion of Mr. Stoddard the bill was ordered to lie.

Mr. Slayton from the committee on agriculture to which was referred a house bill entitled

H. 150. An act to prevent fraud in the sale of butter;

Reported in favor of the passage of the bill in concurrence and the same was ordered to be read the third time to-morrow morning.

Mr. Marsh from the committee on agriculture to which was referred a house bill entitled

H. 221. An act to amend chapter 171 of the Revised Laws, relating to destruction of noxious animals;

Reported in favor of the passage of the bill in concurrence with proposals of amendment to the house as follows:

First. By striking out in line eleven, section one, the words, "and for every fox fifty cents;"

Second. By striking out all of section two.

Pending the question, will the senate agree to the same,

On motion of Mr. Bunker the bill was ordered to lie.

A bill entitled

S. 85. An act relating to state printing, stationery and stationers' supplies;

Was read the third time and passed.

A bill entitled

S. 67. An act to amend section 3855 of the Revised Laws and in addition thereto;

Was read the third time and on motion of Mr. Bunker the same was ordered to lie.

A house bill entitled

H. 358. An act laying a tax on the county of Orange;

Was read the third time and passed in concurrence.

On motion of Mr. Stoddard the senate adjourned.

## AFTERNOON.

Mr. Judson from the committee on the elections reported a bill entitled

S. 139. An act relating to voters residing in unorganized towns and gores ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Bunker offered the following resolution :

*Resolved*, That the reading of the journal hereafter, during the continuance of the present session, be dispensed with ;

Which was read and adopted.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 76. An act providing for a better enforcement of the laws for the protection of fish ;

H. 142. An act to pay Joseph Barton the sum therein named ;

H. 147. An act to amend section 3879 of the Revised Laws, relating to the protection of fish ;

H. 198. An act to incorporate the village of Bristol ;

H. 227. An act in amendment of act number forty-one of the acts of 1884 ;

H. 270. An act to amend act No. 122 of laws of 1884 ;

H. 294. An act in amendment of act No. 90 of the laws of 1880, entitled an act relating to the collection of taxes ;

H. 299. An act to repeal No. 117 of the acts of 1884 ;

H. 322. An act relating to the rights of teachers to legal holidays ;

H. 357. An act to amend section 460, chapter twenty-seven, of the Revised Laws, relating to town superintendents, accounts for services ;

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 193. An act to incorporate the People's Trust Company of St. Albans ;

H. 111. An act to pay H. C. Hazelton the sum therein named ;

H. 53. An act in addition to chapter one hundred and sixty-nine of the Revised Laws ;

H. 236. An act relating to the construction of a bridge from North Hero to Alburgh.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 76. An act providing for a better enforcement of the laws for the protection of fish ;

H. 147. An act to amend section 3879 of the Revised Laws, relating to the protection of fish ;

To the joint committee on game and fisheries.

H. 142. An act to pay Joseph Barton the sum therein named ;

To the committee on claims.

H. 198. An act to incorporate the village of Bristol ;

H. 299. An act to repeal No. 117 of the acts of 1884 ;

To the general committee.

H. 227. An act in amendment of act No. 41 of acts of 1884 ;

To the committee on banks.

H. 270. An act to amend act No. 122 of the laws of 1884 ;

To the committee on the judiciary.

H. 294. An act in amendment of act No. 90 of the laws of 1880, entitled an act relating to the collection of taxes ;

To the committee on the grand list.

H. 322. An act relating to the rights of teachers to legal holidays ;

H. 357. An act to amend section 460, chapter twenty-seven, of the Revised Laws, relating to town superintendents, accounts for services ;

To the committee on education.

Senator Pierce in the chair.

On motion of Mr. Bates the senate adjourned.

TUESDAY, NOVEMBER 16TH, 1886.

Reading of scriptures and prayer by Rev. J. T. Buzzell, a member of the house of representatives from the town of Jay.

A house bill entitled

H. 299. An act to repeal No. 117 of the acts of 1884 ;

Was recalled from the general committee and re-referred to the committee on the judiciary.

Mr. Judson from the special joint committee on state and court expenses reported a bill entitled

S. 140. An act to amend section 1744 of the Revised Laws, relating to fines and costs ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Hale from the committee on temperance legislation reported a bill entitled

S. 141. An act to amend sections 4503 and 4505 of the Revised Laws and to facilitate investigation in criminal cases ;

Which was read the first and second times and under the rule ordered to lie and be printed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered senate bills of the following titles :

S. 26. An act in amendment of section 76 of the Revised Laws, relating to the manner of conducting elections ;

S. 63. An act to facilitate the duties of listers ;

S. 65. An act to pay Ella M. Ballou the sum therein named ;

S. 70. An act extending the provisions of act number one of the laws of 1882 to street and horse railroads ;

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 325. An act for the protection of fish in Plymouth and Ludlow ponds and the rivers between said ponds ;

H. 328. An act to amend an act defining the power of the village of Newport ;

H. 378. An act in addition to section 851 of the Revised Laws, relating to service of process by sheriffs and other officers ;

H. 384. An act in addition to chapter 25 of the Revised Laws, relating to the grand list ;

H. 397. An act relating to the distribution of copies of the state military history ;

H. 399. An act in amendment of the charter of the Rutland and Woodstock Railroad Company, approved November 3d, 1865 ;

H. 416. An act extending the jurisdiction of the police of the village of Montpelier ;

H. 418. An act to enlarge the powers and to amend the articles of association of the Young Men's Christian Association of Burlington Vermont ;

H. 455. An act to incorporate the Security Savings Bank and Trust Company of Montpelier ;

H. 458. An act to incorporate the Home for Aged Women ;

H. 477. An act authorizing the Governor and auditor to adjust all claims between this state and the United States ;

In the passage of which the concurrence of the senate is requested.

Mr. Hale from the joint committee on game and fisheries reported a bill entitled

S. 142. An act in amendment of section one of No. 245 of the laws of 1884, entitled "an act for the protection of fish in Lake Bomoseen and Inman Pond ;"

Which was read the first and second times and under the rule ordered to lie and be printed.

Bills of the following titles were severally read the third time and passed :

S. 99. An act repealing sections 2660 and 2661 of the Revised Laws, and a part of section 2658, and abolishing the office of highway surveyor ;

S. 111. An act to authorize the Tuttle Company to republish certain Vermont Reports ;

S. 130. An act to amend section one of act No. 181 of the printed laws of 1880.

A bill entitled

S. 133. An act to amend section 3696 of the Revised Laws ;

Was read the third time.

Mr. Baker moved that the bill be committed to a senator to amend by striking out the last two words of section one: "with interest."

And the same was agreed to.

Thereupon the bill was committed to the senator from Rutland to amend, who reported the bill back, amended agreeably to the instruction of the senate.

Whereupon the bill was passed.

A house bill entitled

H. 150. An act to prevent fraud in the sale of butter;

Was read the third time.

Mr. Chapin moved that the senate propose to the house to amend the bill by inserting after the word "length" in line thirteen, section three, the words, *and not less than two inches in width*;

And the same was agreed to.

Mr. Bates moved that the senate propose to the house to further amend the bill by inserting after the word "who" in line one, section one, the word *knowingly*;

And the same was agreed to.

Yeas, 24; nays, 2.

Mr. Nash having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bailey,  
Baker,  
Bates,  
Blake,  
Bunker,  
Chapin,  
Chase,  
Clark,

Cushing,  
Fletcher,  
Foster,  
Gray,  
Hale,  
Hall,  
Judson,  
Pierce,

Powell,  
Smith,  
Spear,  
Stanley,  
Stoddard,  
Swain,  
Valentine,  
Wells—24.

Those senators who voted in the negative are Messrs.

Nash,

Wright—2.

So the amendment was agreed to.

Mr. Bates moved that the senate propose to the house to further amend the bill by inserting before the word "placed" and also before the word "used" in line three, section two, the word *knowingly* and by striking out in line four, section three, the words, "deemed good and sufficient;"

Which proposals of amendment were severally agreed to.

Whereupon the bill was passed in concurrence with proposals of amendment.

A house bill entitled

H. 83. An act to amend section 3184 of the Revised Laws, relating to fences;

Was taken up and the bill was refused a third reading.



A house bill entitled

H. 220. An act to enable the town of Springfield to aid in the construction of the Springfield Railroad ;

Was read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 325. An act for the protection of fish in Plymouth and Ludlow ponds and the rivers between said ponds ;

To the joint committee on game and fisheries.

H. 384. An act in addition to chapter 25 of the Revised Laws, relating to the grand list ;

To the committee on grand list.

H. 378. An act in addition to section 861 of the Revised Laws, relating to the service of process by sheriffs and other officers ;

To the committee on the judiciary.

H. 397. An act relating to the distribution of copies of the state military history ;

To the committee on military affairs.

H. 399. An act in amendment of the charter of the Rutland and Woodstock Railroad Company, approved November 3d, 1865 ;

To the committee on railroads.

H. 328. An act to amend an act defining the power of the village of Newport ;

H. 416. An act extending the jurisdiction of the police of the village of Montpelier ;

H. 418. An act to enlarge the powers and to amend the articles of association of the Young Men's Christian Association of Burlington Vermont ;

H. 458. An act to incorporate the Home for Aged Women ;

To the general committee.

H. 455. An act to incorporate the Security Savings Bank and Trust Company of Montpelier ;

To the committee on banks.

H. 477. An act authorizing the Governor and auditor to adjust claims between this state and the United States ;

To the committee on federal relations.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 13th day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 73. An act to incorporate the Standard Light and Power Manufacturing Company ;

S. 64. An act to enable the town of Rockingham to issue its bonds for the purpose of defraying the expense of building a town house ;

He has this day approved and signed bills of the following titles :

S. 26. An act in amendment of section seventy-six of the Revised Laws, relating to the manner of conducting elections ;

S. 70. An act extending the provisions of act No. 1 of the Laws of 1882 to street and horse railroads ;

S. 65. An act to pay Ella M. Ballou the sum therein named ;

S. 63. An act to facilitate the duties of listers ;

On motion of Mr. Bunker the senate adjourned.

#### AFTERNOON.

Mr. Hall from the joint committee on game and fisheries to which was referred a bill entitled

S. 41. An act in amendment of and in addition to section 3378 of the Revised Laws, relating to the preservation of fish ;

Reported in favor of its passage ;

And the bill was ordered to be read the third time to-morrow morning.

Mr. Clark from the committee on claims to which was referred a bill entitled

S. 45. An act to pay L. K. Barnes the sum therein named ;

Reported in favor of the passage of the bill when amended by filling the blank in section one with the words, *seventy-eight and  $\frac{2}{100}$*  ;

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow morning.

Mr. Smith from the committee on manufactures to which was referred a bill entitled

S. 87. An act to prevent the use of defective steam boilers ;

Reported in favor of the passage of the bill when amended by striking out all after the enacting clause and inserting in lieu thereof the following :

SECTION 1. Upon application of three reputable citizens the selectmen of any town or the mayor of any city in this state, or any person duly authorized by them, may, after notice to the parties interested, examine any stationary steam engine or steam boiler therein, and for that purpose may enter any house, shop or building, and if upon examination it appears probable that the use of such engine or boiler is unsafe, they shall give the parties interested, so far as known, an opportunity to be heard. And if upon such hearing they shall adjudge such engine or boiler unsafe, defective or unfit to be used, they may issue an order prohibiting the use thereof until it is rendered safe. If after notice to the owner or person having charge thereof, such engine or boiler is used contrary to such order, such owner or person so offending shall forfeit ten dollars for each day he so uses the same, to be recovered to the use of such town or city in an action of debt brought in the name of such town.

SECTION 2. This act shall take effect from its passage ;

Which proposal of amendment was agreed to ;

And the bill was ordered to be read the third time to-morrow morning.

Mr. Fletcher from the general committee to which was referred a bill entitled

S. 109. An act to change the name of the Pine Hill Cemetery Association to the Evergreen Cemetery Association and to legalize its action ;

Reported in favor of the passage of the bill ;

And the same was read the third time and passed.

Mr. Fletcher from the general committee to which was referred a bill entitled

S. 115. An act in amendment of an act giving dealers in monuments and copings certain powers ;

Reported in favor of the passage of the bill when amended by striking out all of section one after the word "hereby" in line four and inserting in lieu thereof the word *repealed* ; also by amending the title so that it will read : *An act to repeal No. 82 of the laws of 1884* ;

Which proposals of amendment were agreed to and the bill was ordered to be read the third time to-morrow morning.

Mr. Clark from the committee on claims to which was referred a house bill entitled

H. 30. An act to pay N. M. Johnson the sum therein named ;

Reported in favor of the passage of the bill with proposal of amendment to the house by striking out in line three, section one, the word "thirty" and inserting in lieu thereof the word *twenty* ;

Which proposal of amendment was agreed to and the bill was read the third time and passed in concurrence with proposals of amendment.

A bill entitled

S. 126. An act to restrain and regulate the sale of intoxicating liquor ;

Was taken up as a special order ;

And on motion of Mr. Valentine the bill was ordered to lie.

A bill entitled

S. 137. An act to prevent treating in saloons and other public places ;

Was taken up as a special order ;

And on motion of Mr. Valentine ordered to lie.

Mr. Stevens from the committee on the grand list to which was referred a house bill entitled

H. 123. An act to legalize the quadrennial valuation and grand list of the town of Windsor for 1886 ;

Reported in favor of the passage of the bill in concurrence ;

And on motion of Mr. Baker the bill was ordered to lie.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence ;

Thereupon the bills were severally ordered to be read the third time to-morrow morning.

By Mr. Hall from the joint committee on game and fisheries,

H. 76. An act providing for a better enforcement of the laws for the protection of fish.

H. 147. An act to amend section 3879 of the Revised Laws, relating to the protection of fish ;

By Mr. Bailey from the committee on the grand list,

H. 137. An act to amend section six of No. 2 of the acts of 1882 ;

By Mr. Stevens from the committee on the grand list,

H. 294. An act in amendment of section one of act No. 90 of the laws of 1880, entitled " an act relating to the collection of taxes.

Mr. Bailey from the committee on claims, to which was referred a house bill entitled

H. 244. An act to pay Francis V. Hassam the sum therein named ;

Reported in favor of the passage of the bill.

Whereupon the bill was read the third time and passed in concurrence ;

Mr. Baker from the committee on the judiciary to which was referred a house bill entitled

H. 299. An act to repeal No. 117 of the acts of 1884 ;

Reported adversely to its passage in concurrence ;

And the bill was refused a third reading.

Mr. Hall from the joint committee on game and fisheries to which was referred a house bill entitled

H. 325. An act for the protection of fish in Plymouth and Ludlow ponds and the rivers between said ponds ;

Reported in favor of its passage in concurrence.

Thereupon the third reading of the bill was refused.

Mr. Hall from the joint committee on game and fisheries to which was referred a house bill entitled

H. 365 An act to protect fish in Silver Lake in the town of Franklin;

Reported in favor of the passage of the bill in concurrence;

Mr. Baker moved that the senate propose to the house to amend the bill by striking out in lines two, three and four, section one, the words "Silver Lake, formerly known as Franklin Pond in the town of Franklin," and insert in lieu thereof the words, *any of the waters of this state*; also in the sixth line of the same section by striking out the word "lake" and inserting in lieu thereof the word *waters*.

Pending the question will the senate agree to the same, on motion of Mr. Chapin the bill was ordered to lie.

Mr. Bates from the committee on the judiciary to which was referred bills entitled

S. 112. An act relating to appeals from the probate courts;

S. 127. An act in amendment of section 1800 of the Revised Laws of Vermont;

Reported adversely to their passage;

And the bills were severally refused a third reading.

Mr. Bates from the committee on the judiciary to which were referred a bill entitled

S. 17. An act relating to bridges;

Reported in favor of the passage of the bill when amended so that section one shall read as follows:

SECTION 1. Any person who wilfully violates the provisions of section 3140 of the Revised Laws shall be guilty of a misdemeanor and may be apprehended without a written warrant by a sheriff, deputy sheriff, constable, police officer or watchman of such bridge and taken forthwith before any justice of the peace in the town where so arrested and may be there detained until complaint in due form of law can be issued against him and upon trial and conviction of said offence shall be fined not exceeding five dollars together with the cost of prosecution. Provided that no arrest without warrant shall be hereby authorized except on the day said offence is committed and when the officer making said arrest has reason to believe and does believe that the person so arrested will escape from the jurisdiction of the courts of this state unless arrested without written process;

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow morning.

A house bill entitled

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named;

Was taken up.

The question being shall the bill pass in concurrence,

Mr. Smith moved that the senate propose to the house to amend the bill by adding to section one the words, *provided that the corporation of Barre Academy and all known creditors thereof shall give their written assent thereto*;

And the same was agreed to.

Thereupon the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 139. An act relating to voters residing in unorganized towns and gores ;

Was taken up and ordered to be read the third time to-morrow morning.

A house bill entitled

H. 221. An act to amend chapter 171 of the Revised Laws, relating to destruction of noxious animals ;

Was taken up,

Thereupon the amendments proposed by the committee were disagreed to.

Mr. Stodard moved that the bill be ordered to lie ;

And the same was disagreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Cushing in the chair.

A bill entitled

S. 67. An act to amend section 3855 of the Revised Laws and in addition thereto ;

Was taken up.

Mr. Pierce moved that the bill be laid on the table ;

And the same was disagreed to.

Mr. Baker moved that the bill lie and be made the special order for to-morrow afternoon at two o'clock and thirty minutes ;

Which was agreed to.

On motion of Mr. Pierce the senate adjourned.

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WEDNESDAY, NOVEMBER 17TH, 1886.

Reading of scriptures and prayer by the chaplain.

Bills of the following titles were severally read the third time and passed.

S. 17. An act relating to bridges ;

S. 41. An act in amendment of, and in addition to, section 3878 of the Revised Laws, relating to preservation of fish ;

- S. 45. An act to pay L. K. Barnes the sum therein named ;  
 S. 87. An act to prevent the use of defective steam boilers ;  
 S. 115. An act to repeal No. 82 of the laws of 1884 ;  
 S. 139. An act relating to voters residing in unorganized towns and gores.

A house bill entitled

H. 294. An act in amendment of section one of act No. 90 of the laws of 1880, entitled "an act relating to the collection of taxes ;"

Was read the third time.

Thereupon the passage of the bill in concurrence was refused.

A bill entitled

S. 18. An act to protect and encourage the growth of forests ;

Was taken up, and the bill was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a senate bill entitled

S. 38. An act relating to free text-books in public schools ;

And have refused the same a third reading.

The house have passed bills of the following titles :

H. 218. An act laying a tax on the grand list of the township of Averill ;

H. 17. An act to incorporate the town of Proctor ;

In the passage of which the concurrence of the senate is requested.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 76. An act providing for a better enforcement of the laws for the protection of fish ;

H. 137. An act to amend section six of No. 2 of the acts of 1882 ;

H. 147. An act to amend section 3879 of the Revised Laws, relating to the protection of fish.

A house bill entitled

H. 221. An act to amend chapter 171 of the Revised Laws, relating to destruction of noxious animals ;

Was read the third time.

Mr. Stoddard moved that the senate propose to the house to amend the bill by inserting after the word "fox" in line eleven, section one, the words, *killed between the first of April and first of November of each year* ;

And the same was disagreed to. Yeas, 11 ; nays, 17.

Mr. Bailey having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,	Hale,	Stoddard,
Clark,	Hall,	Valentine,
Fletcher,	Judson,	Wells—11.
Gray,	Powell,	

Those senators who voted in the negative are Messrs.

Bailey,	Cushing,	Smith,
Bates,	Draper.	Spear,
Blake,	Foster,	Stanley,
Bunker,	Marsh,	Stevens,
Chapin,	Nash,	Swain—17.
Chase,	Pierce,	

So the amendment was disagreed to and the bill was passed in concurrence.

Bills of the following titles were severally taken up and ordered to be read the third time to-morrow morning :

S. 140. An act to amend section 1744, Revised Laws, relating to fines and costs ;

S. 142. An act in amendment of section one of No. 245 of the laws of 1884, entitled " an act for the protection of fish in Lake Bomo-seen and Inman Pond ;"

S. 138. An act in amendment of section 3276 of the Revised Laws, relating to private corporations by voluntary association.

A house bill entitled

H. 123. An act to legalize the quadrennial valuation and grand list of the town of Windsor for 1886 ;

Was taken up and passed in concurrence.

Mr. Stoddard from the committee on the judiciary reported a bill entitled

S. 143. An act in amendment of No. 139 of the acts of 1884 and in addition thereto, relating to levy of execution ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Baker from the committee on the judiciary reported a bill entitled

S. 144. An act to amend section 290 of the Revised Laws, relating to commissioners and collectors of taxes in unorganized towns and gores ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Stoddard from the committee on the judiciary to which was referred a bill entitled



S. 86. An act in addition to, and in amendment of, No. 139 of the acts of 1884 ;

Reported adversely to its passage and the bill was refused a third reading.

Mr. Hale from the committee on temperance legislation to which was referred a bill entitled

S. 97. An act in amendment of section 3818 of the Revised Laws, relating to intoxicating liquor ;

Reported in favor of the passage of the bill when amended by striking out all of section one after the word " thereon " in line thirty-one, and inserting in lieu thereof the words, *as provided in section 3819 of Revised Laws ;*

Which was agreed to, and the bill was ordered to be read the third time to-morrow morning.

Mr. Chase from the joint committee on the library to which was referred a bill entitled

S. 100. An act appropriating 545,186 dollars for the state library building :

Reported in favor of the passage of the bill and the same was ordered to be read the third time to-morrow morning.

Mr. Foster from the committee on railroads to which was referred a house bill entitled

H. 70. An act authorizing the St. Johnsbury and Lake Champlain Railroad Company to build a branch to connect with the Southeastern railroad ;

Reported in favor of the passage of the bill in concurrence and the same was ordered to be read the third time to-morrow morning.

Mr. Pierce from the committee on elections to which was referred a house bill entitled

H. 167. An act making taxable female citizens voters in town, village and fire district meetings ;

Reported in favor of the passage of the bill in concurrence and on motion of Mr. Bates the bill was ordered to lie, and be made the special order for to-morrow afternoon at two o'clock and thirty minutes.

Mr. Nash from the committee on railroads to which was referred a house bill entitled

H. 222. An act to incorporate the Hardwick and Marshfield Railroad Company ;

Reported in favor of the passage of the bill in concurrence and the same was ordered to be read the third time to-morrow morning.

Mr. Fletcher from the general committee, to which was referred a house bill entitled

H. 292. An act relating to the boards of water commissioners and street commissioners of the city of Vergennes ;

Reported adversely to the passage of the bill ;

And the same was refused a third reading.

Mr. Stanley from the general committee to which was referred a house bill entitled

H. 458. An act to incorporate the home for aged women ;

Reported in favor of the passage of the bill ;

And the same was read the third time and passed in concurrence.

Senator Bailey in the chair.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 17. An act to incorporate the town of Proctor ;

To a special committee consisting of

Senator Chase,  
Smith,  
Stanley.

H. 218. An act laying a tax on the grand list of the township of Averill ;

To the committee on land taxes.

Mr. Hale from the committee on federal relations to which was referred a house bill entitled

H. 477. An act authorizing the Governor and auditor to adjust all claims between this state and the United States ;

Reported in favor of the passage of the bill and under a suspension of rules read the third time and passed in concurrence.

On motion of Mr. Chapin the senate adjourned.

## AFTERNOON.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr Chase from the general committee,

H. 326. An act to incorporate the Rutland Soldiers' Memorial Hall Library Association ;

By Mr. Stanley from the general committee,

H. 416. An act extending the jurisdiction of the police of the of the village of Montpelier ;

By Mr. Chase from the general committee,

H. 418. An act to enlarge the powers and to amend the articles of association of the Young Men's Christian Association of Burlington, Vermont.

Thereupon the bills were severally read the third time and passed in concurrence.

Mr. Pierce from the committee on banks to which was referred a house bill entitled

H. 227. An act in amendment of act No. 41 of the acts of 1884 ;

Reported in favor of the passage of the bill in concurrence ;

And the same was ordered to be read the third time to-morrow morning.

Mr. Bates from the committee on the judiciary to which was referred a house bill entitled

H. 208. An act to provide for filling certain vacancies in the general assembly ;

Reported adversely to the passage of the bill in concurrence ;

And the same was refused a third reading.

A bill entitled

S. 67. An act to amend section 3855 of the Revised Laws and in addition thereto ;

Was taken up.

The question being shall the bill pass,

Mr. Bates moved that the same be committed to a senator to amend by striking out in lines six, seven, eight, nine and ten, section one,

the words, "and in case bail is forfeited by the respondent in prosecutions to recover any such fines or penalties, one-fourth of such forfeited bail;" and also by adding to section one the following words:

*And for each conviction of a second or subsequent offence in violation of sections 3800 and 3802 of the Revised Laws the officer prosecuting said cause to final judgment shall receive the sum of fifty dollars. And the state auditor is hereby directed to draw his order upon the state treasurer in favor of such prosecuting officer for said sum after the final determination of such prosecution and sentence of such offender;*

Which was agreed to and the bill was committed to the senator from Caledonia to amend, who reported the same back amended agreeably to the instructions of the senate;

Whereupon the bill was passed.

A bill entitled

S. 98. An act in relation to the Bennington Battle Monument;

Was taken up.

Mr. Baker moved that the bill be amended

First. In line one, section one, strike out words "Redfield Proc-  
tor" and insert in lieu thereof *Aldace F. Walker*;

Second. In line six, same section, strike out the words, "by a  
majority vote;"

Third. In line nine, same section, strike out the words, "shall be  
taken," and insert in lieu thereof the words, *are required*;

Fourth. Add to section one the following: *and notice shall be  
given by said commissioners to all land owners whose lands are so  
required, and to the town of Bennington as provided in section 2946  
of the Revised Laws of the time and place when they may be heard in  
the premises, and said commissioners shall make report of their doings  
with their recommendations to the supreme or county court within and  
for the county of Bennington, and said court may accept or reject  
said report in whole or in part, and shall make such orders in the  
the premises as may be necessary and proper to carry into effect the  
provisions of this act;*

Fifth. Strike out all of section two after the words "section one"  
in the fourth line thereof and insert in lieu thereof the words, *when-  
ever they can agree with the owners of said land, and if they cannot agree  
said commissioners may apply to any judge of the supreme court for  
the appointment of commissioners to appraise said lands and said judge  
shall hear all parties in interest and may in his discretion appoint  
three commissioners for this purpose and the appraisal made upon six  
days' notice and hearing of all parties interested, and the report of said  
commissioners, when approved and confirmed by the court making the  
orders specified in section one of this act, shall be final and conclusive  
as to the matters covered by said orders and appraisal and said com-  
missioners may take possession of and hold said property in accord-  
ance with the terms of said orders;*

Sixth. In line one, section three, strike out the word "commission" and insert in lieu thereof the words. *commissioners first*;

Seventh. In line six, same section, strike out the word "on" and insert in lieu thereof the words, *upon, or the appraisal made*;

Eighth. Strike out all of the third section after the word "removed" in line seven and insert in lieu thereof the words, *and before said commissioners shall take any lands under the orders of court as aforesaid*;

Ninth. Strike out all of section four ;

Tenth. Strike out in lines three, four, five, six, seven, eight, nine, ten and eleven, section seven, the words, "commission named in section two may award or the courts decree, not to exceed in all the gross amount of ten thousand dollars; nor shall this amount, or any part thereof, be available until, in the judgment of the commission named in section two, a good and sufficient title to the lands and premises designated by the commission named in section one shall be certain to vest in the state; nor" and insert in lieu thereof the words, *commissioners appointed to purchase said lands may require to carry out their contracts of purchase as aforesaid and the decrees and orders of court made upon appraisals as aforesaid but no such orders shall be drawn*;

Which proposals of amendment were severally agreed to and on motion of Mr. Baker the bill was ordered to lie and be printed as amended.

Mr. Bates moved that the senate take a recess of fifteen minutes ;  
Which was agreed to.

At the expiration of the recess the president resumed the chair.

Mr. Baker from the committee on the judiciary to which was referred a bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

And house proposals of amendment to the same ;

Reported recommending that the senate do not concur in said proposals of amendment.

Thereupon the senate refused to concur in the house proposals of amendment to the bill.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Clark from the committee on claims,

H. 88. An act to pay Charles A. Stiles the sum therein named ;

H. 122. An act to pay George D. Hinman the sum therein named ;

By Mr. Draper from the committee on claims,

H. 148. An act providing for the payment to E. R. Long of the sum therein named ;

By Mr. Nash from the committee on claims,  
H. 210. An act to pay J. Henry Kidder the sum therein named ;

By Mr. Wright from the committee on railroads,  
H. 356. An act to authorize the St. Johnsbury and Lake Champlain Railroad Company to hold and own stock in the Vermont Steamboat Company.

Whereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

House bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage in concurrence :

By Mr. Wright from the committee on land taxes,  
H. 218. An act laying a tax on the grand list of the township of Averill ;

By Mr. Wright from the general committee,  
H. 300. An act in addition to chapter 134 of the Revised Laws, entitled fire districts ;

By Mr. Stevens from the committee on claims,  
H. 155. An act to pay Frank H. Atherton the sum therein named ;

By Mr. Smith from the committee on manufactures,  
H. 289. An act to amend section 164 of the Revised Laws, relating to the state geologist.

Whereupon the bills were severally ordered to be read the third time to-morrow morning.

Mr. Wright from the committee on railroads to which was referred a bill entitled

S. 77. An act requiring railroad companies to provide and carry drinking water in passenger cars ;

Reported adversely to the passage of the bill.

Whereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Fletcher from the general committee to which was referred a bill entitled

S. 104. An act relating to assessments on the capital stock of Queen City Park Association ;

Reported in favor of the passage of the bill.

Thereupon the bill was ordered to be read the third time, read the third time and passed.

Mr. Chase from the special committee to which was referred a house bill entitled

H. 17. An act to incorporate the town of Proctor ;

Reported in favor of the passage of the bill in concurrence ;

On motion of Mr. Bates the bill was ordered to lie and be made the special order for to-morrow morning at ten o'clock and thirty minutes.

On motion of Mr. Bunker the senate adjourned.

THURSDAY, NOVEMBER 18, 1886.

Reading of scriptures and prayer by the chaplain.

Mr. Bunker offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the use of representatives' hall be granted to the Vermont Woman's Suffrage Association, on Thursday evening, November 18th, for the purpose of an address by Rev Lewis A. Banks of Boston ;*

Which was read and adopted on the part of the senate.

Mr. Baker presented the remonstrance of W. C. Dunton against the division of Rutland and on motion of Mr. Smith the same was laid on the table.

A bill entitled

S. 77. An act requiring railroad companies to provide and carry drinking water in passenger cars ;

Was read the third time and on motion of Mr. Judson ordered to lie.

A house bill entitled

H. 36. An act to quiet the title in lands conveyed by collector's deed ;

Was taken up and ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate bills of the following titles :

S. 59. An act to amend section 531 of the Revised Laws, relating to school-houses ;

S. 88. An act to pay John B. Reynolds the sum therein named ;  
And have passed the same in concurrence.

The house have, on their part, adopted a joint resolution relating to final adjournment ;

In the adoption of which the concurrence of the senate is requested.

The house have passed bills of the following titles :

H. 23. An act to incorporate the town of West Rutland ;

H. 91. An act in amendment of section two, of No. 52, acts of 1884, approved November 26, 1884, relating to the insane ;

H. 94. An act relating to railroad corporations ;

H. 286. An act in addition to chapter sixty-five, Revised Laws ;

H. 330. An act in amendment of an act to incorporate the Bristol Railroad Company, and to enable certain towns to aid in the construction thereof, approved November 28, 1882 ;

H. 336. An act to incorporate the Ayrshire Breeders' Association ;

H. 362. An act supplemental to an act entitled " an act to incorporate the Vermont Life Insurance Company ;" approved October 28, 1868 ;

H. 377. An act in amendment of, and in addition to, section 2108 of the Revised Laws of Vermont, relating to allowance to the widow and family of deceased persons ;

H. 395. An act relating to insane paupers ;

H. 403. An act in addition to chapter ninety-three of the Revised Laws, relating to courts of insolvency ;

H. 407. An act to amend section 3276 of the Revised Laws ;

H. 411. An act in addition to No. 180 of the session laws of 1882 ;

H. 465. An act to incorporate the Farrar Park Association :

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 106. An act in amendment of, and in addition to, an act entitled " an act providing for the re-issuing of warrants for the collection of taxes in certain cases," approved November 29, 1882 ;

H. 226. An act to incorporate the Rogers and Hazard Relief Society ;

H. 281. An act making provision for monuments and grounds on the battle field of Gettysburgh ;

H. 238. An act relating to personal mortgages ;

H. 214. An act to amend an act entitled " an act to amend section 29 of an act entitled an act to provide a revenue for the payment of state expenses," approved November 28, 1882, approved November 25, 1884 ;

H. 291. An act in amendment of an act entitled an act to amend an act to incorporate the village of Montpelier, approved November 26, 1872 ;

H. 303. An act to punish public officers guilty of embezzlement ;

H. 277. An act in amendment of, and in addition to, section 2114 of Revised Laws, relating to allowance to the widow and family of the deceased ;

H. 477. An act authorizing the Governor and auditor to adjust all claims between this state and the United States.



The house have considered senate proposals of amendment to house bills entitled

H. 30. An act to pay N. M. Johnson the sum therein named ;

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named ;

H. 150. An act to prevent fraud in the sale of butter ;

H. 220. An act to enable the town of Springfield to aid in the construction of the Springfield Railroad ;

And have concurred therein.

Bills of the following titles were severally read the third time and passed.

S. 97. An act in amendment of section 3818 of the Revised Laws, relating to intoxicating liquors ;

S. 100. An act appropriating 245 and  $\frac{1}{10}$  dollars for the state library building ;

S. 138. An act in amendment of section 3276 of the Revised Laws, relating to private corporations by voluntary association ;

S. 140. An act to amend section 1744 of the Revised Laws, relating to fines and costs ;

S. 142. An act in amendment of section one of No. 245 of the laws of 1884, entitled " an act for the protection of fish in Lake Bomoseen and Inman Pond."

A house bill entitled

H. 17. An act to incorporate the town of Proctor ;

Was taken up as a special order;

And ordered to be read the third time.

Yeas, 27 ; nays, 0.

Mr. Baker having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,	Foster,	Slayton,
Baker,	Gray,	Spear,
Blake,	Hale,	Stanley,
Bunker,	Hall,	Stevens,
Chapin,	Judson,	Stoddard.
Chase,	Marsh,	Swain,
Clark,	Pierce,	Valentine,
Cushing,	Powell,	Wells,
Fletcher,	Smith,	Wright—27.

No senator voted in the negative.

So the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Baker moved that the secretary request the house to return to the possession of the senate a house bill entitled

H. 208. An act to provide for filling certain vacancies in the general assembly ;

And the same was agreed to.

House bills of the following titles were severally read the third time and passed in concurrence.

H. 70. An act authorizing the St. Johnsbury and Lake Champlain Railroad to build a branch to connect with the Southeastern Railroad ;

H. 155. An act to pay Frank H. Atherton the sum therein named ;

H. 218. An act laying a tax on the grand list of the township of Averill ;

H. 222. An act to incorporate the Hardwick and Marshfield Railroad Company ;

H. 227. An act in amendment of act No. 41 of the acts of 1884 ;

H. 289. An act to amend section 164 of the Revised Laws, relating to the state geologist ;

H. 300. An act in addition to chapter 134 of the Revised Laws, entitled " fire districts," enabling fire districts to elect the collector of town taxes collector of fire district taxes; although he is not an inhabitant of such fire district.

Senator Wright in the chair.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 23. An act to incorporate the town of West Rutland ;

To a special committee consisting of

Senator Chase,  
Smith,  
Stanley.

H. 377. An act in amendment of, and in addition to, section 2108 of the Revised Laws; relating to allowance to the widow and family of the deceased ;

H. 403. An act in addition to chapter ninety-three of the Revised Laws, relating to courts of insolvency ;

H. 286. An act in addition to chapter sixty-five of the Revised Laws ;

To the committee on the judiciary.

H. 395. An act relating to insane paupers ;

H. 91. An act in amendment of section two, of number fifty-two, acts of 1884, approved November 26, 1884, relating to the insane ;

To the committee on the insane asylum ;

H. 407. An act to amend section 3276 of the Revised Laws ;

H. 465. An act to incorporate the Farrar Park Association ;

H. 362. An act supplemental to an act entitled "an act to incorporate the Vermont Life Insurance Company," approved October 28, 1868 ;

To the general committee.

H. 411. An act in addition to number one hundred and eighty of the acts of 1882 ;

H. 94. An act relating to railroad corporations ;

H. 330. An act in amendment of an act to incorporate the Bristol Railroad Company, and to enable certain towns to aid in construction thereof, approved November 28, 1882 ;

To the committee on railroads.

H. 336. An act to incorporate the Ayrshire Breeders' Association ;

To the general committee.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to return to the senate, agreeably to their request, house bill entitled

H. 208. An act to provide for filling certain vacancies in the general assembly ;

Mr. Baker moved that the secretary request the house to return to the possession of the senate a house bill entitled

H. 183. An act to incorporate the American Commercial Company ;  
And the same was agreed to.

A house bill entitled

H. 208. An act to provide for filling certain vacancies in the general assembly ;

Having been returned from the house, Mr. Baker moved that the senate reconsider its vote refusing the bill a third reading ;

And the same was agreed to.

Thereupon on motion of Mr. Baker the bill was ordered to lie.

On motion of Mr. Stoddard the senate adjourned

## AFTERNOON.

Mr. Bunker, from the committee on education, to which was referred a bill entitled

S. 27. An act in amendment of section 563 of the Revised Laws, relating to duties of selectmen;

Reported in favor of the passage of the bill;

And the same was ordered to be read the third time to-morrow morning.

Mr. Valentine, from the committee on education, to which was referred a bill entitled

S. 36. An act to establish an uniformity throughout the state of the text-books to be used in the public schools;

Reported in favor of the passage of the bill when amended by filing the blanks in sections two and three with the word *fifty*;

Which proposals of amendment were agreed to.

Mr. Stoddard moved that the bill be further amended by inserting after section five a new section, as follows:

SECTION 6. The state text-book committee, before or at the time of making the selection of text-books, as required in section two of this act, shall demand and take of each person, firm, or company publishing, or having exclusive control of the sale of the book or books which said committee desire to adopt, an obligation, by way of bond or contract, binding said person, firm or company, to furnish each and every town, school district or graded school in this state with the book or books so selected, with any change or modifications therein, or subsequent editions thereof at a certain price per book during said period of five years, or for any portion of said period. Said text-book committee may determine upon the form and details of said obligation; but the same shall contain a provision, under which every town, school district or graded school may have an ample and complete remedy for any wilful neglect or refusal to furnish said book or books at the price agreed upon by the signers of said obligation; and the same shall also contain a further provision that a duly authenticated copy of said obligation shall be evidence of such contract in any court, in which a party aggrieved may seek to obtain redress for any violation of the provisions thereof. Said text-book committee shall deposit said obligations in the office of the secretary of state, and said secretary shall furnish a certified copy thereof to any person upon request. And said state text-book committee shall not finally determine upon or announce the selection of text-books by them to be made until said obligations are completed and lodged in the office of the secretary of state;

And the same was agreed to.

Mr. Spear moved that the bill be further amended in line three, section five, by striking out "1887" and inserting in lieu thereof 1889;

Which was disagreed to.

Mr. Cushing moved that the bill be further amended by adding to section seven the following: *Provided that this act shall not apply to towns that now furnish free text-books, except as to new books;*

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have considered a senate bill entitled

S. 93. An act incorporating "the Rochester graded school district;"  
And have passed the same in concurrence.

The house have passed bills of the following titles:

H. 1. An act to repeal chapter one hundred thirty-five, of the Revised Laws, and to amend various other sections;

H. 188. An act to alter the boundaries of the village of Windsor, Vermont;

H. 201. An act to empower the selectmen of the town of Irasburgh to sell and convey grammar school lot, in said town;

H. 269. An act to legalize the grand list, including the quadrennial appraisal, of the town of Barton for the year of 1886;

H. 276. An act to legalize the grand lists and quadrennial appraisal of the town of Topsham for the year 1886;

H. 278. An act entitled an act to enable the city of Vergennes to issue its bonds for the purpose of funding its indebtedness, and providing electric lights for said city;

H. 310. An act to incorporate the Morrisville Aqueduct Company;

H. 438. An act authorizing the reduction of capital stock of private corporations;

In the passage of which the concurrence of the senate is requested.

I am further directed to return to the possession of the senate, agreeably to their request, a house bill entitled

H. 183. An act to incorporate the American Commercial Company.

The house have on their part considered a joint resolution from the senate granting the use of representatives' hall to the Vermont Woman's Suffrage Association;

And have adopted the same in concurrence.

A house bill entitled

H. 167. An act making taxable female citizens voters in town, village and fire district meetings;

Was taken up as a special order, the question being, shall the bill be read the third time,

Mr. Stanley moved that the bill be ordered to lie ;  
And the same was disagreed to.

Yeas, 12 ; nays, 14.

Mr. Hale having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs :

Blake,	Fletcher,	Powell,
Bunker,	Foster,	Pierce,
Clark,	Gray,	Smith,
Cushing,	Marsh,	Swain—12.

Those senators who voted in the negative are Messrs.

Bailey,	Judson,	Stoddard,
Baker,	Nash,	Valentine,
Chase,	Slayton,	Wells,
Hale,	Spear,	Wright—14.
Hall,	Stevens,	

So the senate refused to order the bill to lie.

Thereupon the bill was refused a third reading.

Yeas, 9; nays, 18.

Mr. Bailey having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Blake,	Cushing,	Pierce,
Bunker,	Foster,	Smith,
Clark,	Gray,	Swain—9.

Those senators who voted in the negative are Messrs.

Bailey,	Hall,	Spear,
Baker,	Judson,	Stevens,
Chapin,	Marsh,	Stoddard,
Chase,	Nash,	Valentine,
Fletcher,	Powell,	Wells,
Hale,	Slayton,	Wright—18.

So the bill was refused a third reading.

Mr. Valentine from the committee on education, to which was referred a bill entitled

S. 106. An act in amendment of No. 35 of the acts of 1884, relating to the distribution of public money to school districts ;

Reported adversely to its passage, and the bill was refused a third reading.

Mr. Bailey from the committee on claims, to which was referred a bill entitled

S. 28. An act to pay George W. Jenness the sum therein named ;

Reported in favor of its passage, and the bill was read the third time and passed.

Mr. Valentine from the committee on education, to which was referred a bill entitled

S. 129. An act for the better protection of minors ;

Reported adversely to its passage, and on motion of Mr. Chapin the bill was ordered to lie.

A house bill entitled

H. 183. An act to incorporate the American Commercial Company ;

Having been returned from the house, Mr. Baker moved that the rules be suspended, and that the vote passing the bill in concurrence, be reconsidered ;

And the same was agreed to.

Thereupon on motion of Mr. Baker the bill was ordered to lie.

A house bill entitled

H. 208. An act to provide for filling certain vacancies in the general assembly ;

Was taken up, the question being, shall the bill be read the third time,

Mr. Baker moved that the senate propose to the house to amend the bill by striking out section two ;

And the same was agreed to.

Thereupon on motion of Mr. Hale the bill was ordered to lie.

A bill entitled

S. 129. An act for the better protection of minors ;

Was taken up and the bill was refused a third reading.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 93. An act to incorporate "the Rochester graded school district ;"

S. 59. An act to amend section 531 of the Revised Laws, relating to school-houses ;

S. 88. An act to pay John B. Reynolds the sum therein named.

Senator Powell in the chair.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Chase from the special committee,

H. 23. An act to incorporate the town of West Rutland ;

By Mr. Baker from the committee on the judiciary,

H. 192. An act relating to nuisances ;

By Mr. Bailey from the committee on the grand list,

H. 384. An act in addition to chapter 25 of the Revised Laws, relating to the grand list.

Whereupon the bills were severally ordered to be read the third time to-morrow morning.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage.

By Mr. Bunker from the committee on education,

H. 118. An act to amend an act to establish the Fair Haven graded school district ;

By Mr. Bailey from the committee on the grand list,

H. 329. An act to legalize the grand list of the town of Newport for the years 1884, 1885 and 1886 ;

By Mr. Wright from the general committee,

H. 175. An act to incorporate the Willard Manufacturing Company.

By Mr. Pierce from the committee on banks,

H. 349. An act to incorporate the White River Savings Bank ;

H. 455. An act to incorporate the Security Savings Bank and Trust Company of Montpelier.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

The president resumed the chair.

Mr. Hale from the committee on the judiciary to which were referred house bills of the following titles reported adversely to the passage of the bills in concurrence :

H. 270. An act to amend act No. 122 of laws of 1884 ;

H. 286. An act in addition to chapter 65, Revised Laws.

Thereupon the bills were severally refused a third reading.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 1. An act to repeal chapter one hundred and thirty-five of the Revised Laws, and to amend various other sections ;

H. 438. An act authorizing the reduction of the capital stock of private corporations ;

To the committee on the judiciary.

H. 188. An act to alter the boundaries of the village of Windsor, Vermont ;

H. 201. An act to empower the selectmen of the town of Ferrisburgh to sell and convey grammar school lot in said town ;



H. 278. An act to enable the city of Vergennes to issue its bonds for the purpose of funding its indebtedness and providing electric lights for said city ;

H. 310. An act to incorporate the Morrisville Aqueduct Company; To the general committee.

H. 269. An act to legalize the grand list, including the quadrennial appraisal, of the town of Barton for the year of 1886 ;

H. 276. An act to legalize the grand list and quadrennial appraisal of the town of Topsham for the year 1886 ;

To the committee on the grand list.

A bill entitled

S. 14. An act to amend section 4132 of the Revised Laws, in relation to arson and burning ;

Was taken up.

Thereupon on motion of Mr. Chapin the bill was indefinitely postponed.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the president of the senate and speaker of the house of representatives, adjourn their respective houses without day on Wednesday, the 24th day of November, at eight o'clock in the forenoon ;*

Was read, and on motion of Mr. Baker, ordered to lie and be made the special order for to-morrow afternoon at four o'clock.

Mr. Valentine from the general committee to which was referred a bill entitled

S. 134. An act to empower the village of Barton to bring water into said village and issue bonds therefor ;

Reported in favor of the passage of the bill when amended by adding to section one the words :

*Provided that no land shall be so occupied and no water shall be so taken by said water commissioners, until they shall have purchased all of said rights and privileges of said owners ; or until the awards hereinafter provided by the commissioners appointed by the Orleans county court shall have been made and tendered by the treasurer of said village to the said owners, without expense to them ;*

Which proposal of amendment was agreed to, and the bill was read the third time and passed.

On motion of Mr. Nash the senate adjourned.

FRIDAY, NOVEMBER 19, 1886.

Reading of scriptures and prayer by Rev. W. S. Hazen of Northfield, chaplain of the senate in 1884.

Mr. Cushing from the joint committee on game and fisheries reported a bill entitled

S. 145. An act relating to fish in Lake Champlain and its tributaries ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Valentine from the general committee reported a bill entitled

S. 146. An act relating to private corporations organized by special acts of incorporation ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Baker from the committee on the judiciary reported a bill entitled

S. 147. An act to amend section 3607 of the Revised Laws ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Spear moved that the secretary request the house to return to the possession of the senate a house bill entitled

H. 358. An act laying a tax on the county of Orange;

Which was agreed to.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered joint resolutions from the senate as follows :

Joint resolution relating to the education and citizenship of Indians ;

Joint resolution providing a pedestal to the statue of the late Jacob Collamer in the national capitol ;

And have adopted the same in concurrence.

The house have on their part adopted a joint resolution relating to printing state officers' reports ;

In the adoption of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 56. An act to legalize the grand list of the town of Bloomfield for the year 1886 ;

S. 61. An act authorizing the Burlington and Lamoille Railroad Company to build a branch from Cambridge to Province line ;

S. 82. An act in addition to No. 265 of the acts of 1884, entitled an act laying a tax on the county of Rutland ;

S. 102. An act authorizing the transfer of trust funds held by the trustees of the parochial fund, of the diocese of Vermont, and the trustees of the fund for aged and infirm clergymen to the trustees of the diocese of Vermont ;

And have passed the same in concurrence.

The house have considered senate bills of the following titles :

S. 6. An act to change the line between the towns of Middlesex and Moretown ;

S. 32. An act to exempt certain property from taxation ;

S. 119. An act to amend section 1636 of the Revised Laws, relating to counsel in criminal cases ;

And have refused the same a third reading.

The house have considered a senate bill entitled

S. 75. An act to incorporate the Citizens' Savings Bank and Trust Company of St. Johnsbury ;

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

The house have considered its proposals of amendment to senate bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

And insist upon the same and ask for a committee of conference on the disagreeing votes of the two houses.

The house have passed bills of the following titles :

H. 173. An act for the further protection of fish in the waters of Lake Bomoseen in the towns of Castleton and Hubbardton ;

H. 232. An act to prevent fishing in the waters of Lake Seymour in the town of Morgan for a period of three years ;

H. 275. An act authorizing the village of Fair Haven to borrow money on its bonds ;

H. 295. An act authorizing the Fair Haven graded school district to issue its bonds for the purpose of paying its indebtedness ;

H. 366. An act to incorporate the Windsor public library ;

H. 380. An act in amendment of acts incorporating the village of Barton ;

H. 406. An act to enable the Brandon Cemetery Association to lay a water-pipe or pipes from the water-works of fire district No. 1 of Brandon to the cemetery of said association ;

H. 478. An act to incorporate the village of Poultney ;

H. 479. An act in amendment of sections 37 and 39 of the laws of 1884, entitled "an act in amendment of and in addition to an act to incorporate the village of Bennington, approved November 3d, 1849 ;

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 271. An act relating to appeals in criminal cases ;

H. 76. An act providing for a better enforcement of the laws for the protection of fish ;

H. 137. An act to amend section six, of No. 2, of the acts of 1882 ;

H. 147. An act to amend section 3879 of the Revised Laws, relating to the protection of fish ;

H. 221. An act to amend chapter 171 of the Revised Laws, relating to destruction of noxious animals ;

H. 224. An act to pay Francis V. Hassam the sum therein named ;

H. 458. An act to incorporate the Home for Aged Women ;

H. 146. An act to enable the treasurer of the Spaulding Memorial Fund to do certain things therein named ;

H. 150. An act to prevent fraud in the sale of butter ;

H. 326. An act to incorporate the Rutland Soldiers' Memorial Hall Library Association ;

H. 17. An act to incorporate the town of Proctor ;

H. 70. An act authorizing the St Johnsbury and Lake Champlain Railroad Company to build a branch to connect with the Southeastern Railroad ;

H. 88. An act to pay Charles A. Stiles the sum therein named ;

H. 122. An act to pay George D. Hinman the sum therein named ;

H. 148. An act providing for the payment of E. R. Long of the sum therein named ;

H. 210. An act to pay J. Henry Kidder the sum therein named ;

H. 256. An act to authorize the St. Johnsbury and Lake Champlain Railroad Company to hold and own stock in the Vermont Steamboat Company ;

H. 418. An act to enlarge the powers and to amend the articles of association of the Young Men's Christian Association of Burlington, Vermont ;

H. 30. An act to pay N. M. Johnson the sum therein named ;

H. 123. An act to legalize the quadrennial valuation and grand list of the town of Windsor for 1886 ;

H. 220. An act to enable the town of Springfield to aid in the construction of the Springfield railroad.

Bills of the following titles were severally read the third time and passed :

S. 27. An act in amendment of section 563 of the Revised Laws, relating to duties of selectmen ;

S. 36. An act to establish an uniformity throughout the state of the text-books to be used in the public schools ;

A house bill entitled

H. 23. An act to incorporate the town of West Rutland ;

Was read the third time and passed in concurrence. Yeas, 27 ; nays, 1.

Mr. Clark having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,	Fletcher,	Smith,
Baker,	Foster,	Slayton,
Blake,	Gray,	Spear,
Bunker,	Hale,	Stanley,
Chapin,	Hall,	Stevens,
Chase,	Judson,	Swain,
Clark,	Marsh,	Valentine,
Cushing,	Pierce,	Wells,
Draper,	Powell,	Wright—27.

That senator who voted in the negative was Mr.

Stoddard—1.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 36. An act to quiet the title in land conveyed by collector's deed ;

H. 192. An act relating to nuisances ;

H. 384. An act in addition to chapter twenty-five of the Revised Laws, relating to the grand list.

Mr. Stoddard moved that the secretary request the house to return to the possession of the senate a house bill entitled

H. 222. An act to incorporate the Hardwick and Marshfield Railroad Company ;

And the same was agreed to.

Mr. Clark from the committee on claims to which was referred a bill entitled

S. 116. An act to pay John Nash the sum therein named ;

Reported adversely to its passage and the same was refused a third reading.

Senator Stevens in the chair.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 295. An act authorizing the Fair Haven graded school district to issue its bonds for the purpose of paying its indebtedness :

H. 366. An act to incorporate the Windsor public library ;

H. 380. An act in amendment of acts incorporating the village of Barton ;

H. 406. An act to enable the Brandon Cemetery Association to lay a water-pipe or pipes from the water-works of fire district No. 1 of Brandon, to the cemetery of said association ;

H. 478. An act to incorporate the village of Poultney ;

H. 479. An act in amendment of sections 37 and 39 of the laws of 1884, entitled "an act in amendment of and in addition to an act to incorporate the village of Bennington," approved November 3d, 1849 ;

To the general committee.

H. 275. An act authorizing the village of Fair Haven to borrow money on its bonds :

To the committee on finance.

H. 232. An act to prevent fishing in the waters of Lake Seymour in the town of Morgan, for a period of three years ;

H. 173. An act for the further protection of fish in the waters of Lake Bomoseen in the towns of Castleton and Hubbardton ;

To the joint committee on game and fisheries.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That no more than the following number of the separate reports hereinafter named, shall be printed at the expense of the state in pamphlet form : State treasurer's report, 400 copies ; auditor's of accounts report, 250 ; commissioner's of state taxes report, 250 ; reform school report, 500 ; supervisors of the insane, 500. The foregoing reports may be printed in pamphlet form, in the number of copies named, respectively, at the expense of the state upon order for the same, approved by the commissioners of printing, but no such approval shall be made or such report printed at the expense of the state after the type used for such report in the state officers' report, shall have been distributed ;

Was read and adopted in concurrence.

Senate bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage, and the same were ordered to be read the third time tomorrow morning :

By Mr. Spear from the committee on education,

S. 121. An act in relation to the division of the income of school funds ;

S. 125. An act in relation to the equalization of school property in towns adopting the town system of schools.

The president resumed the chair.

Mr. Hale moved that the secretary request the house to return to the possession of the senate a house bill entitled

H. 254. An act laying a tax on the county of Washington ;  
And the same was agreed to.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 328. An act to amend an act defining the power of the village of Newport ;

Reported in favor of the passage of the bill in concurrence when amended by inserting after the word "highways" in line twenty-five, section one, the words, *and in case of such disagreement and appraisal said corporation shall make no entry upon such lands until payment or tender of award of damages assessed as aforesaid;*

Which was agreed to, and the bill was read the third time and passed in concurrence with proposals of amendment.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have passed bills of the following titles :

H. 233. An act relating to the protection of fish ;

H. 285. An act to pay T. Suter the sum therein named ;

H. 293. An act to pay the town of Williston the sum of thirty-four dollars ;

H. 338. An act to pay Andrew P. Davis the sum therein named ;

H. 359. An act to pay Sidney H. Weston the sum therein named ;

H. 364. An act appointing a committee of three to revise, re-draft and so far as necessary, to draft a new educational bill so as increase the efficiency and improve the public schools of the state ;

H. 381. An act to protect owners of stock horses ;

H. 400. An act to pay H. F. Bartlett the sum therein named ;

H. 408. An act relating to the assessment of taxes ;

H. 410. An act to amend section 37, No. 1, acts of 1882, relating to apportionment for state and county taxes ;

H. 441. An act to pay Smith A. Brooks the sum therein named ;

H. 447. An act in amendment of section 21 of No. 225 of the session laws of 1884 ;

H. 450. An act to provide for the collection of taxes ;

H. 454. An act to prevent accidents in the highway ;

In the passage of which the concurrence of the senate is requested.

I am also directed to return to the possession of the senate, agreeably to their request, house bill entitled

H. 222. An act to incorporate the Hardwick and Marshfield Railroad Company ;

H. 254. An act laying a tax on the county of Washington ;

H. 358. An act laying a tax on the county of Orange.

The house have on their part adopted a joint resolution, relating to the death of ex-President Arthur :

In the adoption of which the concurrence of the senate is requested.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

Whereupon the bills were severally ordered to be read the third time to-morrow morning.

By Mr. Wells from the committee on the judiciary,

H. 438. An act authorizing the reduction of the capital stock of private corporations ;

By Mr. Baker from the committee on the judiciary,

H. 197. An act in relation to the sale of railroads under a decree or judgment ;

By Mr. Spear from the committee on education,

H. 322. An act relating to the rights of teachers to legal holidays ;

H. 357. An act to amend section 460 of the Revised Laws, relating to town superintendents' accounts for services ;

By Mr. Clark from the committee on the judiciary,

H. 403. An act in addition to chapter ninety-three of the Revised Laws, relating to courts of insolvency.

Mr. Chase from the general committee to which was referred a bill entitled

S. 33. An act in addition to chapter one hundred sixty-two of the Revised Laws, entitled " insurance companies ;"

Reported adversely to its passage.

Thereupon the bill was refused a third reading.

House bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage :

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

By Mr. Clark from the committee on claims,

S. 45. An act to pay O. P. Simonds the sum therein named ;



By Mr. Fletcher from the general committee,

H. 188. An act to alter the boundaries of the village of Windsor, Vermont;

H. 263. An act to incorporate the village of Enosburgh Falls;

By Mr. Bailey from the committee on the grand list,

H. 276. An act to legalize the grand list and quadrennial appraisal of the town of Topsham for the year 1886;

H. 269. An act to legalize the grand list, including the quadrennial appraisal, of the town of Barton for the year 1886;

By Mr. Baker from the committee on railroads,

H. 219. An act to incorporate the Springfield Railroad Company;

By Mr. Chase from the general committee,

H. 310. An act to incorporate the Morrisville Aqueduct Company;

H. 465. An act to incorporate the Farrar Park Association;

By Mr. Stanley from the general committee,

H. 278. An act to enable the city of Vergennes to issue its bonds for the purpose of funding its indebtedness and providing electric lights for said city.

A joint resolution from the house as follows:

Joint resolution on the death of ex-President Arthur;

*Resolved by the Senate and House of Representatives,* That the general assembly have received with deep regret the announcement of the death of an illustrious and eminent son of Vermont, ex-President Chester A. Arthur, distinguished alike for his sterling patriotism, statesmanlike qualities, prominently identified as he was with the Union cause during the rebellion and subsequently filling the position of chief magistrate of the nation, with conspicuous ability, dignity and fidelity. The people of the entire country have reason to feel grateful for his public service and the State of Vermont to be proud of her native son. The general assembly hereby manifest their respect and esteem for his memory and at the same time tender to the relatives of the deceased the assurance of their sympathy in the bereavement they have sustained;

Which was read and adopted in concurrence by a unanimous rising vote.

On motion of Mr. Blake the senate adjourned.

## AFTERNOON.

Senator Baker in the chair.

House bills of the following titles were severally read the first and second times and referred as follows :

- H. 233. An act relating to the protection of fish ;  
To the joint committee on game and fisheries.
- H. 285. An act to pay T. Suter the sum therein named ;
- H. 293. An act to pay the town of Williston the sum of thirty-four dollars ;
- H. 338. An act to pay Andrew N. Davis the sum therein named ;
- H. 359. An act to pay Sidney H. Weston the sum therein named ;
- H. 400. An act to pay H. F. Bartlett the sum therein named ;
- H. 441. An act to pay Smith A. Brooks the sum therein named ;  
To the committee on claims.
- H. 364. An act appointing a committee of three to revise, redraft and so far as necessary to draft a new educational bill so as to increase the efficiency and improve the public schools of the state ;  
To the committee on education.
- H. 381. An act to protect owners of stock horses ;  
To the committee on agriculture.
- H. 408. An act relating to the assessment of taxes ;
- H. 410. An act to amend section 37, No. 1 acts of 1882, relating to apportionment of state and county taxes ;
- H. 430. An act to amend No. 67Q of the Revised Laws ;  
To the committee on the grand list.
- H. 446. An act in amendment of section 21 of No. 225 of the session Laws of 1884 ;  
To the general committee.
- H. 454. An act to prevent accidents in the highway ;  
To the committee on highways and bridges.

Mr. Spear from the committee on the insane asylum, to which was referred a bill entitled

S. 128. An act in amendment of section three, No. 52, acts of 1884, approved November 26, 1884, relating to the insane ;

Reported in favor of the passage of the bill, and the same was ordered to be read the third time to-morrow morning.

Mr. Valentine from the general committee to which was referred a house bill entitled

H. 201. An act to empower the selectmen of the town of Irasburgh to sell and convey grammar school lot in said town ;

Reported in favor of the passage of the bill in concurrence and the same was ordered to be read the third time to-morrow morning.

Mr. Wright from the general committee to which referred a house bill entitled

H. 362. An act supplemental to an act entitled " an act to incorporate the Vermont Life Insurance Company," approved October 28th, 1868 ;

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered senate bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

The house have on their part adopted a joint resolution, relating to mileage fees of official reporters ;

In the adoption of which the concurrence of the senate is requested.

A house bill entitled

H. 113. An act in amendment of section one of an act entitled " an act to prevent fishing in the waters of Lake Bomoseen in the towns of Castleton and Hubbardton, approved November 28, 1882 ;

Was taken up and third reading refused.

House bill entitled

H. 358. An act laying a tax on the county of Orange ;

Was taken up, having been returned from the house agreeably to the request of the senate.

Mr. Spear moved that the rules be suspended and that the vote passing the bill in concurrence be reconsidered ;

And the same was agreed to.

The question being shall the bill pass in concurrence.

Mr. Spear moved that the senate propose to the house to amend the bill by striking out in lines six and seven, section two, the words, "completed on or before May 15th, 1886," and inserting in lieu thereof the words, *made in the spring of 1886* ;

Which was agreed to and the bill was passed in concurrence with proposal of amendment.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 198. An act to incorporate the village of Bristol ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows: By adding to section 23 the words, *provided that in case of such disagreement and appraisal said corporation shall make no entry upon the lands so appraised until payment or tender of the award of damages assessed as aforesaid has been made by the treasurer of said village to the said owners without expense to them* ; and also by adding the same words at the end of section thirty ;

Which proposals of amendment were severally agreed to, the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

The president resumed the chair.

A house bill entitled

H. 222. An act to incorporate the Hardwick and Marshfield Railroad Company ;

Having been returned from the house agreeably to the request of the senate ;

Was taken up.

Mr. Stoddard moved that the rules be suspended and that the vote passing the bill in concurrence be reconsidered ;

And the same was agreed to.

Mr. Stoddard moved that the senate propose to the house to amend the bill by striking out in lines two and three of section seven, the words, "at such width as it may deem necessary," and inserting in lieu thereof the words, *not exceeding six rods in width* ;

Which was agreed to and the bill was passed in concurrence with proposals of amendment.

A house bill entitled

H. 254. An act laying a tax on the county of Washington ;

Was taken up, having been returned from the house agreeably to the request of the senate.

Mr. Smith moved that the rules be suspended and the vote passing the bill in concurrence be reconsidered ;

Which was agreed to.

Mr. Smith moved that the senate propose to the house to amend the bill by inserting after the word "list" in line three, section one, the words, *of the spring of 1886*; also by inserting after "1887" in line eight, section two, the words, *or may draw the amount of such tax direct from the town treasury*;

Which proposals of amendment were agreed to and the bill was passed in concurrence with proposals of amendment.

A house bill entitled

H. 183. An act to incorporate the American Commercial Company ;

Was taken up and passed in concurrence.

A bill entitled

S. 98. An act in relation to the Bennington Battle Monument ;

Was taken up.

Mr. Baker moved that the bill be amended by inserting in line eighteen, section two (as amended), after the word "commissioners," the words, *first named in this section* ; also by inserting in line one, section five, after the word "commission" the words, *appointed by this act* ; also by inserting in line seven, section six (as amended), after the word "aforesaid," the words, *not to exceed in the aggregate ten thousand dollars* ;

Which proposals of amendment were agreed to and the bill was read the third time and passed.

A bill entitled

S. 75. An act to incorporate the Citizens' Savings Bank and Trust Company of St. Johnsbury ;

Was taken up, having been returned from the house with proposal of amendment as follows :

By striking out in line twenty-five of section seven, between the words "president" and "vice-president," the word "and;" and also by inserting between the words "vice-president" and "and," in said line, the word *treasurer* ;

Thereupon the proposals of amendment from the house were concurred in.

Senate bills of the following titles were severally taken up and ordered to be read the third time to-morrow morning :

S. 143. An act in amendment of No. 139 of the acts of 1884 and in addition thereto, relating to levy of execution :

S. 144. An act to amend section 290 of the Revised Laws, relating to commissioners and collectors of taxes in unorganized towns and gores.

A bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

Was taken up.

Mr. Hale moved that the senate accede to the request of the house for a committee of conference on the disagreeing votes of the two houses on house proposals of amendment to the bill ;

And the same was agreed to.

The president appointed as the committee of conference on the same on the part of the senate

Senator Bates,  
Stoddard,  
Hale.

A bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

Having been returned from the house with proposals of amendment as follows :

First. By striking out in line seven, section one, the word " all, " before the words " pupils in, " and inserting in lieu thereof the word *the* ;

Second. By striking out in line twenty-eight, section three, the word "all, " before the words " pupils in. " and inserting in lieu thereof the word *the* ;

Which proposals of amendment the senate refused to concur in.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed by the house to request the senate to return to the possession of the house senate bill entitled

S. 32. An act to exempt certain property from taxation ;

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the state treasurer be authorized to pay the official reporters of the senate and house of representatives of the session of 1886 mileage fees at the same rate per mile as is allowed members and other employes of the legislature ;*

Was read and referred to the committee on finance.

Mr. Hale moved that the senate return to the house, agreeably to their request, a bill entitled

S. 32. An act to exempt certain property from taxation ;

And the same was agreed to.

A bill entitled

S. 141. An act to amend sections 4503 and 4505 of the Revised Laws, and to facilitate investigation in criminal cases ;

Was taken up and the third reading ordered for to-morrow morning.

A bill entitled

S. 40. An act regulating the running of railroad trains on Sunday ;

Was taken up.

The question being will the senate reconsider its vote refusing the bill a third reading, it was decided in the negative.

Yeas, 7 ; nays, 19.

Mr. Baker having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,	Smith,	Stoddard,
Bunker,	Slayton,	Swain—7.
Chapin,		

Those senators who voted in the negative are Messrs.

Baker,	Hale,	Powell,
Chase,	Hall,	Spear,
Clark,	Judson,	Stanley,
Cushing,	Marsh,	Stevens,
Fletcher,	Nash,	Valentine,
Foster,	Pierce,	Wright—19.
Gray,		

And the senate refused to reconsider its vote refusing the bill a third reading.

Joint resolution from the house relating to final adjournment ;

Was taken up as a special order.

Mr. Baker moved that the resolution be ordered to lie and be made the special order for to-morrow forenoon at eleven o'clock ;

And the same was agreed to.

Yeas, 20 ; nays, 5.

Mr. Chase having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,	Hall,	Spear,
Baker,	Judson,	Stanley,
Bunker,	Marsh,	Stevens,
Chapin,	Nash,	Stoddard,
Clark,	Pierce,	Swain,
Cushing,	Powell,	Wright—20.
Hale,	Slayton,	

Those senators who voted in the negative are Messrs.

Chase,	Foster,	Valentine—5.
Fletcher,	Gray,	

On motion of Mr. Chapin the senate adjourned.

SATURDAY, NOVEMBER 20TH, 1886.

Reading of scriptures and prayer by the chaplain.

Mr. Bates reported a bill from the committee on the judiciary entitled

S. 148. An act in amendment of section 1867 of the Revised Laws ;

Which was read the first and second times and under the rules ordered to lie and be printed.

Mr. Bates from the special joint committee on state and court expenses, reported a bill entitled

S. 149. An act relating to court expenses ;

Which was read the first and second times, and under the rule ordered to lie and be printed ;

Mr. Stoddard from the committee on railroads, reported a bill entitled

S. 150. An act relating to the Rutland and Woodstock Railroad Company ;

Which was read the first and second times, and under the rule ordered to lie and be printed.

Mr. Fletcher from the general committee, reported a bill entitled

S. 151. An act in relation to the village of Rutland and in amendment of its charter ;

Which was read the first and second times and under a suspension of rules read the third time and passed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have on their part adopted joint resolutions as follows :

Joint resolution relating to the payment of mileage to E. W. J. Hawkins, engrossing clerk ;

Joint resolution providing for payment of mileage and per diem to the widow of Boardman F. Stafford ;

In the adoption of which the concurrence of the senate is requested.



The house have considered a senate bill entitled

S. 76. An act to amend No. 226 of the laws of Vermont of 1872, entitled "an act to incorporate the Winooski and Burlington Horse Railroad Company ;

And have passed the same in concurrence with proposals of amendment, in the the adoption of which the concurrence of the senate is requested.

The house have considered a senate bill entitled

S. 123. An act to repeal sections 2391 and 2392, relating to marriage and divorce ;

And have refused the same a third reading.

The house have considered senate bills entitled

S. 45. An act to pay L. K. Barnes the sum therein named ;

S. 84. An act to incorporate the Barton academy and graded school ;

S. 96. An act fixing the tenure of certain state officers ;

S. 101. An act to incorporate the Burlington Board of Trade ;

S. 105. An act relating to judges of supreme court ;

S. 115. An act to repeal No. 82 of the laws of 1884 ;

S. 136. An act in amendment of chapter eighty-two of the Revised Laws, relating to the discharge of persons imprisoned in bastardy cases ;

S. 139. An act relating to voters residing in unorganized towns and gores ;

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 92. An act providing for the construction of a jail, keeper's dwelling, and barn in the county of Chittenden ;

H. 161. An act incorporating school district No. 4 in St. Albans by the name of St. Albans Academy and Franklin County Grammar School ;

H. 239. An act to empower the town of Sharon to build a dam on the White river ;

H. 268. An act to incorporate the S. M. Dorr Investment Company ;

H. 327. An act declaring school district No. 1 in St. Johnsbury to be a union district ;

H. 350. An act incorporating the Bennington Cemetery Association ;

H. 455. An act to incorporate the Brandon graded school district ;

H. 363. An act relating to annual meetings in school district No. 2, Brandon ;

H. 389. An act to authorize the town of Irasburgh to use certain property for the support of public schools ;

H. 421. An act laying a tax on the county of Orleans, to pay its indebtedness ;

H. 436. An act to incorporate the Springfield Water Supply Company ;

H. 444. An act relating to the grammar school lands in the town of Greensboro ;

H. 481. An act granting certain rights to George F. Cushman and others ;

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 300. An act in addition to chapter 134 of the Revised Laws, entitled fire districts ;

H. 218. An act laying a tax on the grand list of the township of Averill ;

H. 155. An act to pay Frank H. Atherton the sum therein named ;

H. 289. An act to amend section 164 of the Revised Laws, relating to the state geologist ;

H. 227. An act in amendment of act No. 41 of the acts of 1884 ;

H. 384. An act in addition to chapter twenty-five of the Revised Laws, relating to the grand list ;

H. 192. An act relating to nuisances ;

H. 118. An act to amend an act to establish the Fair Haven graded school district ;

H. 23. An act to incorporate the town of West Rutland ;

Also ;

Joint resolution for furnishing the new library building.

Bills of the following titles were severally read the third time and passed ;

S. 121. An act in relation to the division of the income of school funds ;

S. 125. An act in relation to the equalization of school property in towns adopting the town system of schools ;

S. 141. An act to amend sections 4503 and 4505 of the Revised Laws, and to facilitate the investigation of certain crimes ;

S. 143. An act in amendment of No. 139 of the acts of 1884, and in addition thereto, relating to levy of execution ;

S. 144. An act to amend section 290 of the Revised Laws, relating to commissioners and collectors of taxes in unorganized towns and gores.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 197. An act in relation to the sale of railroads under a decree or judgment ;

H. 201. An act to empower the selectmen of the town of Irasburgh to sell and convey grammar school lot in said town ;

H. 322. An act relating to rights of teachers to legal holidays ;

H. 354. An act to amend section 460 of the Revised Laws, relating to town superintendents' accounts for services ;

H. 403. An act in addition to chapter ninety-three of the Revised Laws, relating to courts of insolvency ;

H. 438. An act authorizing the reduction of the capital stock of private corporations.

A bill entitled

S. 128. An act in amendment of section three, No. 52, acts of 1884, approved November 26, 1884, relating to the insane ;

Was read the third time and on motion of Mr. Baker ordered to lie.

A bill entitled

S. 77. An act requiring railroads companies to provide and carry drinking water in passenger cars ;

Was taken up.

Mr. Bates moved that the bill be committed to a senator to amend by striking out in line twelve, section one, the word "twenty" and inserting in lieu thereof the word *ten* ;

Which was agreed to and the bill was committed to the senator from Caledonia to amend, who reported the same back amended agreeably to the instructions of the senate.

Whereupon the bill was passed.

Mr. Blake from the joint committee on the reform school submitted the following report :

### REPORT OF THE JOINT COMMITTEE ON THE REFORM SCHOOL.

*To the Honorable Senate and House of Representatives :*

The joint special committee on the reform school, pursuant to a joint resolution, visited the reform school at Vergennes, October 29. Henry R. Start and Julius N. North, members of the board of trustees, accompanied the committee and assisted them in their investigations. The school is situated on a beautiful site a little west of the city, and the state owns in real and personal estate a property estimated to be worth about \$30,000. This consists in one hundred thirty-two acres of good land, the large home and school building proper, the girl's building, the old stone arsenal building and a small house used as a shoe shop. The large brick building recently erected at a cost exceeding \$10,000 is furnished with all things needed for the home, which, with other personal property, tools, stock, carriages, supplies, etc., foot up \$10,000. The school building is the home of the superintendent and all officers as well as the boys, the girls occupying a small building some rods away, called the girls' home. Here are the offices, the school-rooms, the dormitories, the kitchen, the dining rooms, etc., while adjoining is a building, known as the chair shop where the boys, not employed on the farm, do their work.

A critical examination without and within showed that nothing had been omitted in construction or in care to make the sanitary condition of the premises all that can be desired. So far as could be seen the culinary department is well managed, and a variety of wholesome food in abundant quantities is furnished.

As this is in name a reformatory institution, so in fact it has been made under the excellent management of the trustees and the kind supervision of superintendents and matrons; hence everything has been made to subserve to the one end: a mental and moral improvement of such wayward boys and girls as have been sent from various parts of the state. To this end the minds of the inmates, so far as possible, have been disabused of the thought that they are looked upon as criminals, confined within prison walls. They are made to feel that they are to be most kindly treated, where they are to have the advantage of study, and where faithfulness to duty, good conduct and honesty are to be rewarded by an early furloughing out, or return to their homes. The rules of the institution require that a portion of each day shall be devoted to work, to study and to recreation. It is not designed that the labor shall be severe but during work hours each boy understands that he must diligently attend to his business; in school there is no play, but in recreation there is all that the jolliest boy can desire. The opportunities for study are such that intelligent boys and girls make rapid progress, gaining a good education in common branches in a short time. The methodical training,

the kind but firm discipline and the useful instruction imparted cannot but prove of lasting benefit to all such as are not hopelessly addicted to vice. The methods used for overcoming evil habits and vicious tendencies are various, but rarely in the line of punishment. Self-respect is begotten, moral teaching is given, honesty is rewarded, the Bible is read, Christian example and Christian training is supplemented by the Sunday-school and religious services. So successful have been the methods adopted that comparatively few of the boys who have gone out from the school have fallen back to their earlier habits of vice. The effect of reformatory efforts upon the girls, most of whom are confined for lewdness, have not been so successful.

The committee were surprised to find so many boys who might be classed as little boys, two, at least, of whom are between the ages of six and seven years. These little fellows with the older boys were as diligently at work as the oldest, and while no wrong is intended, and possibly none suffered by the work they perform, it seemed hard to see such small children put to study and hard work even for three hours. Certain kind-hearted ladies have voluntarily interested themselves in this matter and in correspondence with the president of the childrens' home in Burlington, Mrs. L. A. Turrill, learn that all such children might be tenderly cared for in that institution at an expense smaller than at the reform school. There ought to be some arrangement, legislative act if need be, whereby this smallest class of so-called vagrants or criminals, could be placed where the stigma, so far as it goes, of having once been inmates of a reform school, could not fasten itself upon them.

In the management of the institution a healthful and useful employment which should give the inmates a trade or knowledge of work that might afterwards be used in gaining a livelihood has been thought of more consequence than something that promised greater profit to the state. Although quite extended efforts have been made in this direction, the work done in the shop at present does not seem satisfactory to the superintendent, and we hope something may be found that will give the boys a good trade to start life upon when they are turned adrift in the world.

The institution runs a farm, where many of the large boys find work, while the girls are employed about the house. The farm is a good one. Large and convenient barns, sheds, etc., afford ample room for stock and fodder. Appearances indicate that the land has been well managed and that heavy crops are raised. It is said that there is need of more pasturage. The committee is of the opinion that the attention of the trustees should be turned in the direction of raising more green feed, such as will help out the pasturage, a larger amount of roots and grain, thereby increasing the labor for the boys and the feed for the cows. The farm should be in charge of an intelligent farmer, who would very soon, with present facilities, greatly increase its products.

In consulting the interesting and elaborate report furnished by the superintendent and its trustees it will be observed that what may be

classed as "incidental" expenses foots up a heavy sum, and that the expense of the farm, outside of labor, mostly done by the boys, is heavy. We are of the opinion that money might be saved by a more careful oversight in the direction named. While the state will not be niggardly, there is need that whatever can be saved by an economical management of all her institutions in salaries, expenses, etc., should be saved.

We take pleasure in saying that there is every evidence of a most conscientious and careful regard for its welfare of those committed to the institution, both on the part of the trustees and the superintendent; and we are inclined to believe that in Mr. and Mrs. Healey, superintendent and matron, the institution will be as well served as it could be under any persons in these positions, if we except Mr. and Mrs. Fairbank, whose departure to another field of labor is regretted by every friend of the institution in the state.

GEO. H. BLAKE,	} Senate.
FRED. E. SMITH,	
A. J. STEVENS,	

WM. S. HOPKINS,	} House.
JOHN A. PERKINS,	
W. R. STURTEVANT,	
H. W. PIERCE,	
A. C. RAYMOND,	

Which was read and on motion of Mr. Swain ordered to lie and the secretary directed to procure the printing of the usual number of copies for the use of the general assembly.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the treasurer of the state be authorized and directed to pay to the widow of Boardman F. Stafford, the deceased member of the house of representatives from the town of Wallingford, the mileage and per diem for the full term of the present session ;

Was read and adopted in concurrence.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the auditor of accounts is hereby directed to draw an order on the state treasurer, in favor of E. W. J. Hawkins, engrossing clerk, for the sum of fifteen dollars, the same being for mileage at rates allowed other state employes ;

Was read and referred to the committee on finance.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to request the senate to return to the possession of the house senate bill entitled

S. 123. An act to repeal sections 2391 and 2392, relating to marriage and divorce.

The house have appointed as a committee of conference on their part upon the disagreeing votes of the two houses on the house proposals of amendment to senate bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses :

Mr. Poland of Waterville,  
Mr. Abell of West Haven,  
Mr. Haselton of Burlington.

The house have passed a bill entitled

H. 489. An act to create a board of railroad commissioners and to define and regulate its powers and duties ;

In the passage of which the concurrence of the senate is requested.

Joint resolution from the house, relating to final adjournment ;

Was taken up as a special order and adopted in concurrence.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 19th day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 82. An act in addition to No. 265 of the acts of 1884, entitled "an act laying a tax on the county of Rutland ;"

S. 61. An act authorizing the Burlington and Lamoille Railroad Company to build a branch from Cambridge to Province line ;

Also, joint resolution relating to printing the report of the state commissioner to the New Orleans Exposition ;

Also, joint resolution providing a pedestal to the statue of the late Jacob Collamer in the national capital.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 92. An act providing for the construction of a jail, keeper's dwelling and a barn in the county of Chittenden ;

To a special committee consisting of the senator's from Chittenden county.

H. 161. An act incorporating school district No. 4 in St. Albans by the name of St. Albans Academy and Franklin County Grammar School ;

H. 327. An act declaring school district No. 1 in St. Johnsbury to be a union district ;

H. 355. An act to incorporate the Brandon graded school district ;

H. 363. An act relating to annual meetings in school district No. 2, Brandon ;

H. 389. An act authorizing the town of Irasburgh to use certain property for the support of public schools ;

H. 444. An act relating to the grammar schools lands in the town of Greensboro ;

To the committee on education.

H. 239. An act to empower the town of Sharon to build a dam on the White River ;

H. 350. An act incorporating the Bennington Center Cemetery Association ;

H. 436. An act incorporating the Springfield Water Supply Company ;

To the general committee.

H. 421. An act laying a tax on the county of Orleans to pay its indebtedness ;

To a special committee consisting of the senators from Orleans county.

H. 268. An act to incorporate the S. M. Dorr Investment Company ;

To the committee on banks.

H. 489. An act to create a board of railroad commissioners and to define and regulate its powers and duties ;

To the committee on railroads.

Mr. Baker moved that that the senate return to the house agreeably to its request a bill entitled

S. 123. An act to repeal sections 2391 and 2392 of the Revised Laws, relating to marriage and divorce ;

Which was agreed to.

A bill entitled

S. 131. An act to incorporate the Howe Scale Company of 1886 ;

Was taken up and ordered to be recommitted to the committee on the judiciary.

Mr. Stoddard from the committee on railroads to which was referred a bill entitled

S. 23. An act to prevent unjust discriminations by railroad companies ;

Reported adversely to its passage and on motion of Mr. Swain the bill was ordered to lie and be made the special order for this afternoon at two o'clock and thirty minutes.

Mr. Stoddard from the committee on the judiciary to which was referred a bill entitled



S. 107. An act in amendment of section 4519 of the Revised Laws, relating to fees of commissioners of jail delivery ;

Reported in favor of the passage of the bill when amended by adding to section one the following words: *The fees of said commissioners shall be paid by the state after the same have been audited by the auditor of accounts ;*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time Monday morning.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage, and the bills were severally ordered to be read the third time, read and passed in concurrence :

By Mr. Bailey from the committee on claims,

H. 142. An act to pay Joseph Barton the sum therein named ;

By Mr. Cushing from the joint committee on game and fisheries,

H. 173. An act for further protection of fish in the waters of Lake Bomoseen in the towns of Castleton and Hubbardton ;

By Mr. Bailey from the committee on claims,

H. 297. An act to pay E. W. Howe the sum therein named ;

By Mr. Stoddard from the committee on railroads,

H. 330. An act in amendment of an act to incorporate the Bristol Railroad Company and to enable certain towns to aid in the construction thereof, approved November 28th, 1882 ;

H. 399. An act in amendment of the charter of the Rutland and Woodstock Railroad Company approved November 3d, 1865 ;

By Mr. Valentine from the committee on military affairs,

H. 397. An act relating to the distribution of copies of the state military history ;

By Mr. Stevens from the committee on claims,

H. 359. An act to pay Sidney H. Weston the sum therein named ;

By Mr. Chase from the general committee,

H. 295. An act authorizing the Fair Haven graded school district to issue its bonds for the purpose of paying its indebtedness ;

Mr. Fletcher from the general committee, to which was referred a bill entitled

S. 110. An act relating to the village of Rutland and in amendment of its charter ;

Reported adversely to the passage of the bill and the same was refused a third reading.

House bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage in concurrence :

Thereupon the bills were severally refused a third reading.

By Mr. Stoddard from the committee on railroads,

H. 94. An act relating to railroad corporations ;

By Mr. Baker from the committee on the judiciary,

H. 307. An act in addition to No. 94 of public acts of 1884 ;

By Mr. Stoddard from the committee on the judiciary,

H. 377. An act in amendment of and in addition to section 2108 of the Revised Laws, relating to allowance to the widow and family of the deceased ;

By Mr. Stevens from the committee on the grand list,

H. 408. An act relating to the assessment of taxes ;

Mr. Cushing from the joint committee on game and fisheries to which was referred a house bill entitled

H. 232. An act to prevent fishing in the waters of Lake Seymour, in the town of Morgan, for a period of three years.

Reported in favor of its passage in concurrence.

Mr. Bates moved that the bill be ordered to lie ;

And the same was agreed to.

Mr. Stoddard from the committee on railroads to which was referred a house bill entitled

H. 411. An act in addition to No. 180 of the acts of 1882 ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house as follows : By adding thereto a section ;

SECTION 2. The first section of the act entitled "an act to incorporate the Rutland and Tidewater Railroad Company," approved November 18th, 1882, is hereby amended so as to authorize the construction of the Rutland and Tidewater railroad into or through the towns of Pittsford, Clarendon, Timmouth, Middletown Springs and Wells, in addition to the towns named in said sections ;

Which proposal of amendment was agreed to and the bill was ordered to be read the third time Monday morning.

Mr. Stanley from the general committee to which was referred a house bill entitled

H. 446. An act in amendment of section 21 of No. 225 of the session laws of 1884 ;

Reported in favor of the passage of the bill in concurrence ;

And the same was ordered to be read a third time Monday morning.

On motion of Mr. Valentine the senate adjourned.

## AFTERNOON.

Mr. Stoddard from the committee on railroads to which was referred a house bill entitled

H. 489. An act to create a board of railroad commissioners and to define and regulate its powers and duties;

Reported in favor of the passage of the bill.

Thereupon the bill was ordered to be read the third time and under a suspension of the rules read the third time and passed in concurrence.

Mr. Chapin from the committee on highways and bridges to which was referred a bill entitled

S. 108. An act relating to the construction of a bridge from Grand Isle to North Hero;

Reported in favor of the passage of the bill as follows:

First. By striking out the first six lines of section one, to and including the word "assign," and inserting in lieu thereof the following:

SECTION 1. In case the county of Grand Isle does not vote as hereafter provided in this act to bond itself and accept the franchise of the Grand Isle Bridge Company, a corporation created by an act entitled "an act to authorize the construction of a bridge from Grand Isle to North Hero, approved November 3d, 1885, then said Grand Isle Bridge Company may assign;

Second. In section one, line ten, by striking out "1887" and inserting in lieu thereof *1888*;

Third. In section eleven, by striking out all of said section as far as the words "and may," in line eight, and inserting in lieu thereof the following:

"SECTION 11. The county of Grand Isle may vote to accept the franchise of the Grand Isle Bridge Company aforesaid;"

Fourth. By striking out section twelve and inserting in lieu thereof the following:

SECTION 12. The selectmen in each of the towns in said county shall insert an article in the warning for the annual town meeting to be held in 1887, notifying the voters that the question whether the county shall issue its negotiable bonds for the purpose of constructing a bridge between Grand Isle and North Hero, will be submitted to the voters at said meeting. And at said meeting all the voters in each town who are voters in town meeting may vote upon said question;

Fifth. In section thirteen, by striking out the first line of said section and all of the second line as far as the word "shall" and inserting in lieu thereof the following :

SECTION 13. At said annual town meeting in 1887 the said voters in each of said towns in said county;

Sixth. In section fifteen, line eight, by striking out the word "June" and inserting in lieu thereof the word *April*;

Seventh. In section sixteen, line two, by striking out the word "June" and inserting in lieu thereof the word *April*;

Eighth. In section seventeen, line nine, by inserting after the word "transfer" the words, *and the Grand Isle Bridge Building Committee is hereby authorized to accept said transfer on the part of the county*;

Ninth. In section twenty-two, line one, by inserting after the words, "sum of," the words, *twenty thousand dollars*;

Tenth. In section twenty-two, line eight, by inserting after the words, "South Hero," the words, *or by the town of Grand Isle*;

Eleventh. In section twenty-four, line thirteen, by inserting after the word "themselves," the words, *or to the selectmen of the town of Grand Isle in case said town bonds itself alone as provided by this act*;

Thereupon the first, second, third, fourth, fifth, sixth, seventh, eighth, tenth and eleventh proposals of amendment were agreed to.

The question being, will the senate agree to the ninth proposal of amendment it was determined in the affirmative.

Yeas, 13 ; nays, 12.

Mr. Chapin having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bunker,  
Chapin,  
Chase,  
Clark,  
Draper,

Hale,  
Hall,  
Marsh,  
Smith,

Slayton,  
Spear,  
Swain,  
Wells—18.

Those senators who voted in the negative are Messrs.

Bailey,  
Blake,  
Cushing,  
Fletcher,

Foster,  
Gray,  
Judson,  
Pierce,

Powell,  
Stanley,  
Stoddard,  
Wright—12.

And the amendment was agreed to.

The question being, shall the bill be read the third time, it was determined in the negative.

Yeas, 14 ; nays, 16.

Mr. Pierce having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bunker, Chapin, Clark, Draper, Hale,	Hall, Marsh, Nash, Smith, Slayton,	Spear, Stevens, Swain, Wells—14.
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Those senators who voted in the negative are Messrs.

Bailey, Baker, Bates, Blake, Chase, Cushing,	Fletcher, Foster, Gray, Judson, Pierce,	Powell, Stanley, Stoddard, Valentine, Wright—16.
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So the bill was refused a third reading.

Mr. Bailey from the committee on the grand list to which was referred a house bill entitled

H. 410. An act to amend section 37 of No. 1, acts of 1882, relating to apportionment for state and county taxes ;

Reported in favor of the passage of the bill in concurrence ;

And the bill was ordered to be read the third time Monday morning.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered their proposals of amendment to a senate bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

And insist upon the same, and ask the senate for a committee of conference on the disagreeing votes of the two houses.

A bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

Was taken up ;

Thereupon on motion of Mr. Valentine the senate acceded to the request of the house for a committee of conference on the disagreeing votes of the two houses on house proposals of amendment to the same.

The president appointed as such committee on the part of the senate

Senator Bunker,  
Foster,  
Cushing.

Senator Clark in the chair.

House bills of the following titles were severally reported from the general committee:

By Mr. Chase,

H. 406. An act to enable the Brandon Cemetery Association to lay a water-pipe or pipes from the water-works of fire district No. 1 of Brandon to the cemetery of said association;

H. 478. An act to incorporate the village of Poultney.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Bailey from the committee on the grand list to which was referred house bill entitled

H. 450. An act to provide for the collection of taxes;

Reported the same back without an expression of opinion.

Thereupon the bill was refused a third reading.

Mr. Smith moved that the senate reconsider its vote passing in concurrence a house bill entitled

H. 310. An act to incorporate the Morrisville Aqueduct Company;

And the same was agreed to.

Mr. Bates moved that the senate propose to the house to amend the bill as follows:

First. By inserting in line twelve of section four, between the words "shall" and "pay," the words, *in addition to the damages provided for by section five of this act*;

Second. By inserting in line one of section five, between the words, "may" and "enter," the words, *when necessary*;

Third. By inserting in line fourteen of the same section, between the words "shall" and "appoint," the words, *if they find such entry necessary*;

And the same was agreed to.

Thereupon the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 23. An act to prevent unjust discriminations by railroad companies;

Was taken up as a special order.

Mr. Stoddard moved that the bill be amended by inserting after the word "expresses" in line ten, section three, the words, *railroad commissioners and persons engaged in conducting the business of said corporations*;

Which proposal of amendment was agreed to.

Thereupon the bill was refused a third reading.

Yeas, 6; nays, 18.

Mr. Stoddard having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bunker, Fletcher,	Hale, Hall,	Stoddard, Swain—6.
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Those senators who voted in the negative are Messrs.

Bailey, Baker, Bates, Chase, Cushing, Draper,	Foster, Gray, Judson, Marsh, Nash, Powell,	Smith, Spear, Stanley, Stevens, Valentine, Wright—18.
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So the bill was refused a third reading.

The president resumed the chair.

A house bill entitled

H. 208. An act to provide for filling certain vacancies in the general assembly ;

Was taken up.

The question being, shall the bill be read the third time, it was decided in the negative.

Yeas, 11 ; nays, 16.

Mr. Swain having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Chase, Cushing, Fletcher, Gray,	Hall, Nash, Pierce, Spear,	Stanley, Swain, Wright—11.
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Those senators who voted in the negative are Messrs.

Bailey, Baker, Bates, Bunker, Clark, Draper,	Foster, Hale, Judson, Marsh, Powell,	Smith, Stevens, Stoddard, Valentine, Wells—16.
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So the bill was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have appointed as the committee of conference on their part, on the disagreeing vote of the two houses on house proposals of amendment to a senate bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

Mr. Mansur of Brighton,  
Mr. Simonds of Manchester,  
Mr. Butterfield of Grafton.

Mr. Judson from the special committee to which was referred a house bill entitled

H. 235. An act laying a tax on the county of Bennington ;

Reported in favor of the passage of the bill with proposals of amendment to the house as follows :

By inserting after the word " lists " in line three of section one the words, *eighteen hundred and eighty seven* ; also by striking out the word " February " in lines three and nine of section two and inserting in lieu thereof the word *July* ;

Which proposals of amendment were agreed to.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a senate bill entitled

S. 24. An act in amendment of chapter 169 of the Revised Laws, and in addition thereto ;

And have refused the passage thereof in concurrence.

The house have considered senate bills of the following titles :

S. 41. An act in amendment of, and in addition to, section 3878 of the Revised Laws, relating to preservation of fish ;

S. 92. An act to amend section 2674, of the Revised Laws of Vermont, relating to bonds of town officers ;

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the senate is requested.

The house have passed bills of the following titles :

H. 82. An act to amend section 605 of the Revised Laws, in relation to the town system of schools ;

H. 97. An act in amendment of No. 26 of acts of 1884, relating to school money ;

H. 262. An act relating to check-lists in incorporated villages ;

H. 332. An act in addition to chapter 140, Revised Laws ;

H. 420. An act amending section 3955 of the Revised Laws ;

H. 426. An act in addition to section 3154 of the Revised Laws, in relation to turnpikes ;

H. 430. An act to amend No. 670 of the Revised Laws ;

H. 447. An act in amendment of section 292 of chapter twenty-four of the Revised Laws, relating to quadrennial appraisals of real estate ;

H. 486. An act to incorporate the Bennington Water Company ;  
In the passage of which the concurrence of the senate is requested.



The house have considered senate bills of the following titles :

S. 17. An act relating to bridges ;

S. 87. An act to prevent the use of defective steam boilers ;

S. 94. An act to amend section 171 of the Revised Laws and to provide for an executive clerk ;

S. 99. An act repealing sections 2660 and 2661 of the Revised Laws and a part of section 2658, and abolishing the office of highway surveyor ;

S. 100. An act appropriating 245 and  $\frac{1}{10}$  dollars for the state library building ;

And have passed the same in concurrence.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 102. An act authorizing the transfer of trust funds held by the trustees of the parochial fund of the diocese of Vermont, and the trustees of the fund for aged and infirm clergymen, to the trustees of the diocese of Vermont ;

S. 105. An act relating to judges of the supreme court ;

S. 96. An act fixing the tenure of certain state officers ;

S. 45. An act to pay L. K. Barnes the sum therein named ;

I am directed by the Governor to deliver to the senate a communication in writing.

Mr. Baker from the committee on the judiciary to which was re-committed a bill entitled

S. 131. An act to incorporate the Howe Scale Company of 1886 ;

Reported that they had reconsidered the same and recommended that the bill be amended in the following particulars :

First. By striking out the name of " J. A. Sheldon " in the interlineation of line three of section three of the bill and inserting the name of *William G. Shaw* in the place thereof ;

Second. By inserting after the word " based," in the tenth line of section four of the bill, the words, *which said mortgage is hereby ratified and confirmed upon condition hereinafter stated ;*

Third. That there be inserted after the letters " cree," in line twenty-four of the fourth section of the bill, the words, *and for further security of their respective claims, said mortgages, to wit : the said Rutland Savings Bank, the said Newton Kellogg and*

*William R. Page as trustees, and all persons interested in the bonds secured under the said deed of trust or mortgage, and the said managers in possession, shall have a lien in the order named as of a mortgage upon the franchise, patents and good will of said former Howe Scale Company granted and confirmed to said Howe Scale Company of 1886; and the ratification and confirmation of said mortgage and decree is conditional upon the said lien and security as aforesaid to said prior mortgages and holders of prior liens as aforesaid and the organization of a corporation under this act shall be a sufficient acceptance of the conditions aforesaid;*

Fourth. By striking out all of section six, and inserting in place thereof the words, *This corporation shall be subject to the provisions of sections 3283 and 3284 of the Revised Laws;*

Which proposals of amendment were agreed to and the bill was read the third time and passed.

Mr. Baker from the committee on the judiciary to which was referred a bill entitled

S. 132. An act to incorporate the Rutland Manufacturing Company;

Reported in favor of the passage of the bill when amended as follows:

First. By inserting after the word "Vermont" in line two, section three, the words, *and its manufacturing business shall be conducted at that place;* also by inserting the word *it* after the last word in the same line;

Second. By inserting after the word "the" in line one, section seven, the words, *president and;*

Third. By striking out section thirteen;

Fourth. By adding to section five the words, *the corporation may issue stock in payment for property purchased not to exceed the amount of its allowed capital and any stock so issued and used shall be fully paid up stock the same as though cash therefor was paid for it upon the sale of said stock, and said corporation may mortgage any and all its property not exceeding in amount two thirds of its capital stock actually paid in, including franchise, patents, trade marks and good will, to secure any just debts or liabilities of said corporation; but no mortgage shall be made or issued until the same shall have been authorized by a vote of two-thirds of the stockholders in a legal meeting called for that purpose;*

Which proposals of amendment were agreed to, and the bill was read the third time and passed.

On motion of Mr. Baker the senate went into executive session at five o'clock in the afternoon.

## EXECUTIVE SESSION.

The president laid before the senate a communication from His Excellency, the Governor, as follows :

## STATE OF VERMONT.

EXECUTIVE CHAMBER,  
MONTPELIER, November 20, 1886. }

*To the President of the Senate :*

SIR:—I have the honor to nominate, for the consideration and action of the senate,

George W. Perry of Rutland as state geologist and curator of the state cabinet, to hold office for the term of two years from and including the first day of December, 1886, and until his successor is appointed.

EBENEZER J. ORMSBEE.

Which was read and under the rule ordered to lie over twenty-four hours.

On motion of Mr. Baker the executive session was dissolved and the doors of the senate were opened.

Mr. Valentine moved that the senate take a recess until seven o'clock in the evening ;

And the same was agreed to.

## EVENING.

At the expiration of the recess the president resumed the chair.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

By Mr. Stevens from the committee on claims,

H. 293. An act to pay the town of Williston the sum of thirty-four dollars ;

By Mr. Nash from the committee on claims,

H. 338. An act to pay Andrew P. Davis the sum therein named ;

By Mr. Fletcher from the general committee,

H. 366. An act to incorporate the Windsor public library ;

H. 380. An act in amendment of acts incorporating the village of Barton ;

By Mr. Bailey from the committee on claims,

H. 400. An act to pay H. F. Bartlett the sum therein named ;

By Mr. Valentine from the general committee,

H. 479. An act in amendment of sections 37 and 39 of the laws of 1884, entitled an act in amendment of and in addition to an act to incorporate the village of Bennington, approved November 3d, 1849;

H. 350. An act incorporating the Bennington Center Cemetery Association ;

By Mr. Foster from the committee on finance,

H. 275. An act authorizing the village of Fair Haven to borrow money on its bonds ;

By Mr. Bunker from the committee on education,

H. 363. An act relating to annual meetings in school district No. 2, Brandon ;

H. 389. An act to authorize the town of Irasburgh to use certain property for the support of public schools ;

H. 444. An act relating to the grammar school lands in the town of Greensboro.

Mr. Marsh from the committee on agriculture to which was referred a house bill entitled

H. 381. An act to protect owners of stock horses ;

Reported in favor of its passage in concurrence.

Thereupon the bill was refused a third reading.

Mr. Clark from the committee on judiciary to which was referred a bill entitled

S. 25. An act to amend section eight hundred twenty of the Revised Laws, relating to justices of the peace ;

Reported adversely to its passage ;

And the bill was refused a third reading.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

And the same were ordered to be read a third time Monday morning.

By Mr. Bunker from the committee on education,

H. 364. An act appointing a committee of three to revise, re-draft and so far as necessary, to draft a new educational bill, so as to increase the efficiency and improve the public schools of the state ;

By Mr. Hall from the joint committee on game and fisheries,

H. 233. An act relating to the protection of fish ;

By Mr. Wright from the special committee consisting of the senators from Chittenden,

H. 92. An act providing for the construction of a jail, keeper's dwelling and a barn in the county of Chittenden ;

By Mr. Clark from the committee on the judiciary,  
H. 309. An act in amendment of section 1556 of the Revised Laws and in addition thereto.

Mr. Clark from the committee on judiciary to which was referred a house bill entitled

H. 158. An act relating to justices of the peace ;

Reported adversely to the passage of the bill in concurrence and the same was refused a third reading.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs. as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 87. An act to prevent the use of defective steam boilers ;

S. 100. An act appropriating \$245,780 for the state library building.

I am also further directed by the Governor to return herewith, without his approval, with his objections in writing,

S. 56. An act to legalize the grand list of the town of Bloomfield for the year 1886.

A bill entitled

S. 20. An act relating to the town system of schools and to repeal section 605 of the Revised Laws ;

Was taken up and on motion of Mr. Bates ordered to lie and be made the special order for Monday afternoon at two o'clock and fifteen minutes.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 82. An act to amend section 605 of Revised Laws, relating to the town system of schools ;

H. 97. An act in amendment of No. 26 of the acts of 1884, relating to school money ;

H. 430. An act to amend No. 670 of the Revised Laws ;

To the committee on education.

H. 262. An act relating to check-lists in incorporated villages ;

To the committee on elections.

H. 332. An act in addition to chapter one hundred forty of the Revised Laws ;

To the committee on judiciary.

H. 420. An act amending section 3955 of the Revised Laws ;

To the general committee.

H. 486. An act to incorporate the Bennington Water Company ;  
To the general committee.

H. 447. An act in amendment of section 292 of chapter twenty-four of the Revised Laws, relating to quadrennial appraisals of real estate.

To the committee on the grand list.

H. 426. An act in addition to section 3154 of the Revised Laws.

Bills of the following titles were severally taken up and ordered to be read the third time Monday morning :

S. 146. An act relating to private corporations organized by especial acts of incorporation ;

S. 147. An act to amend section 3607 of the Revised Laws ;

S. 135. An act in addition to act No. 48 of the acts of 1884, relating to the insane, and to repeal section 2907 of the Revised Laws.

A bill entitled

S. 120. An act in amendment of section 4005 of the Revised Laws, relating to fowls running at large ;

Was taken up and the passage of the same refused.

A bill entitled

S. 60. An act in amendment of sections 1763, 1765, 1766 of the Revised Laws, relating to the chancering of bonds in liquor cases ;

Was taken up and the same was refused a third reading.

Mr. Bates from the joint special committee to which was referred a bill entitled

S. 113. An act to pay the secretary of state the sum therein named ;

Reported in favor of the passage of the bill when amended by striking out section two ;

Which proposal of amendment was agreed to and on motion of Mr. Bunker ordered to lie and made a special order for Monday afternoon at two o'clock.

Mr. Judson from the committee on finance to which was referred joint resolution relating to the pay of certain state employes ;

Reported the same for a majority of the committee without an expression of an opinion.

Thereupon the senate refused to adopt the resolution upon its part.

Joint resolution relating to the pay of messengers ;

Reported the same for a majority of the committee without an expression of an opinion.

Thereupon the senate refused to adopt the resolution upon its part.

Mr. Clark from the committee on judiciary to which was referred a house bill entitled

H. 387. An act in addition to section 861 of the Revised Laws, relating to the service of process by sheriffs and other officers ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house as follows :

By striking out all of section one after the word " same " in the fifth line and inserting in lieu thereof the words, *he shall certify his doings upon such process and thereupon any other officer who may by law serve such process may complete the service thereof which shall have the same effect as though completed by such officer had he not been disqualified;*

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time Monday morning.

Mr. Bunker from the committee on education to which was referred a house bill entitled

H. 327. An act declaring school district No. 1 in St. Johnsbury to be a union district ;

Reported in favor of its passage in concurrence ;

Thereupon the bill was ordered to be read the third time, read the third time.

Whereupon Mr. Baker moved that the senate propose to the house to amend the bill by adding to section one the words : *Provided, however, that this act shall not be held to affect pending suits ;*

Which was agreed to and the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 76. An act to amend No. 226 of the laws of Vermont of 1872, entitled an act to incorporate the Winooski and Burlington Horse Railroad Company ;

Was taken up, having been returned from the house with proposals of amendment as follows :

First. By striking out the following words in lines two and three of section one : " after the word ' horse ' in line six, the words *or other, and ;* "

Second. By inserting in line seven of section two, after the word " railroad, " the words, *through such streets, and ;*

Which proposals of amendment were concurred in.

A bill entitled

S. 41. An act in amendment of and in addition to section 3878 of the Revised Laws, relating to the preservation of fish ;

Was taken up, having been returned from the house with proposal of amendment as follows :

By striking out in line five of section one the words, " black bass, " and inserting in lieu thereof the words, *pond pickerel ;*

Which proposal of amendment was concurred in.

A bill entitled

S. 92. An act to amend section 2674 of the Revised Laws of Vermont, relating to bonds of town officers ;

Was taken up having been returned from the house with proposal of amendment as follows :

By striking out all after the enacting clause and inserting in lieu thereof the following :

SECTION 1. In every town which shall vote to require the overseer of the poor of such town to give a bond for the faithful performance of his duties, the selectmen of such town shall require such overseer to give a bond, or to give an additional bond, in the same manner as provided in section 2674 of the Revised Laws, for other town officers.

Thereupon said proposal of amendment was concurred in.

A house bill entitled

H. 232. An act to prevent fishing in the waters of Lake Seymour in the town of Morgan for a period of three years ;

Was taken up and ordered to be read the third time Monday morning.

A house bill entitled

H. 365. An act to protect fish in Silver Lake in the town of Franklin ;

Was taken up.

Thereupon the pending proposals of amendment were agreed to.

Mr. Baker moved to propose to the house to amend the title to the bill by striking out the words, "in Silver Lake in the town of Franklin ;"

Which was agreed to and the bill was ordered to be read the third time Monday morning.

A house bill entitled

H. 22. An act in amendment of section 4110 of the Revised Laws ;

Was taken up and passed in concurrence with proposals of amendment.

The president laid before the senate the following communication from His Excellency, the Governor :

EXECUTIVE CHAMBER,  
MONTPELIER, November 19, 1886. }

TO HIS HONOR, LEVI K. FULLER, PRESIDENT OF THE SENATE :

SIR:—I have the honor to return to the senate, where it originated, senate bill No. 56, entitled an act to legalize the grand list of the town of Bloomfield for the year 1886, without the executive approval.

This proposed enactment belongs to that class of which it is often said, "It will do no harm and may do good." I have sought by enquiry and such examination of the subject as I have been able to



make, for some good and sufficient reason for the approval of the bill in question, but have failed to discern any such reason. From such information as I am able to get, it would appear that the listers of said town made an illegal assessment as to one or more tax-payers of the town—illegal in matters of substance rather than of form—and that this proposed legislation is asked for the purpose of making such assessment valid. Passing the question of doubt whether the act in question, if approved, would be of any avail as against the legal rights of a tax payer, I respectfully submit that the proposed legislation is unwise, to say the least. I can only conclude that I am either misinformed in the matter, or that the bill passed both branches of the legislature without a full understanding of it. Therefore I return it without my approval.

EBENEZER J. ORMSBEE,

The question being will the senate pass the bill, the objections of His Excellency, the Governor, to the contrary notwithstanding,

It was unanimously decided in the negative.

On motion of Mr. Baker the senate adjourned at nine o'clock and thirty minutes.

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MONDAY, NOVEMBER 22D, 1886.

Devotional exercises were conducted by Rev. E. D. Mason of Montpelier.

Bills of the following titles were severally read the third time and passed.

S. 107. An act in amendment of section 4519 of the Revised Laws, relating to the fees of commissioners of jail delivery;

S. 135. An act in addition to an act No. 48 of the acts of 1884, relating to the insane, and to repeal section 2907 of the Revised Laws;

S. 146. An act relating to private corporations organized by a special acts of incorporation.

A bill entitled

S. 147. An act to amend section 3607 of the Revised Laws ;

Was read the third time and on motion of Mr. Judson ordered to lie.

House bills of the following titles were severally read the third time and passed in concurrence with proposal of amendment :

H. 378. An act in addition to section 861 of the Revised Laws, relating to the service of process by sheriffs and other officers ;

H. 411. An act in addition to No. 180 of the acts of 1882.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills of the following titles :

H. 198. An act to incorporate the village of Bristol ;

H. 222. An act to incorporate the Hardwick and Marshfield Railroad Company ;

H. 254. An act laying a tax on the county of Washington ;

H. 328. An act to amend an act defining the powers of the village of Newport ;

H. 358. An act laying a tax on the county of Orange ;

And have concurred therein.

The house have considered senate bills of the following titles :

S. 104. An act relating to assessments on the capital stock of Queen City Park Association ;

S. 109. An act to change the name of the Pine Hill Cemetery Association to the Evergreen Cemetery Association, and to legalize its action ;

And have passed the same in concurrence.

The house have considered senate bills of the following titles :

S. 85. An act relating to state printing, stationery and stationer's supplies ;

S. 95. An act in amendment of chapter one hundred and sixty-nine of the Revised Laws, relating to the traffic in intoxicating liquor ;

S. 103. An act to amend section 62 of Revised Laws, relating to appeals from justice's judgment ;

S. 138. An act in amendment of section 3276 of the Revised Laws, relating to private corporations by voluntary association ;

And have refused the same a third reading.

The house have passed bills of the following titles :

H. 138. An act to incorporate the Burlington Investment and Guarantee Company ;

- H. 255. An act to pay Eliza V. Guernsey the sum therein named ;
- H. 259. An act in relation to district No. 7 in Ludlow and district No. 12 in Plymouth ;
- H. 272. An act to incorporate the Barre Water Company :
- H. 409. An act to incorporate the East Side Sewer Association of Brandon, Vermont ;
- H. 412. An act relating to fire district No. 1 in Readsboro ;
- H. 480. An act authorizing the removal of obstructions from Jay branch, so as to render the same navigable for the running of logs and timber ;
- H. 485. An act in amendment of section 3418 of the Revised Laws, relating to railroad bridges.

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

- H. 36. An act to quiet the title in lands conveyed by collector's deed ;
- H. 188. An act to alter the boundaries of the village of Windsor, Vermont ;
- H. 263. An act to incorporate the village of Enosburgh Falls :
- H. 278. An act to enable the city of Vergennes to issue its bonds for the purpose of funding its indebtedness and providing electric lights for said city ;
- H. 47. An act to pay O. P. Simonds the sum therein named ;
- H. 465. An act to incorporate the Farrar Park Association ;
- H. 349. An act to incorporate the White River Savings Bank ;
- H. 455. An act to incorporate the Security Savings Bank and Trust Company of Montpelier ;
- H. 362. An act supplemental to an act entitled an act to incorporate the Vermont Life Insurance Company, approved October 28, 1868 ;

Also a

Joint resolution relating to printing state officers' reports ;

The house have on their part adopted a joint resolution relating to the pay of the clerk of the committee on revision of bills ;

In the adoption of which the concurrence of the senate is requested.

House bills of the following titles were severally read the third time and passed in concurrence :

- H. 92. An act providing for the construction of a jail, keeper's dwelling and a barn in the county of Chittenden ;

H. 232. An act to prevent fishing in the waters of Lake Seymour in the town of Morgan for a period of three years ;

H. 233. An act relating to the protection of fish ;

H. 309. An act in amendment of section 1556 of the Revised Laws, and in addition thereto ;

H. 364. An act appointing a committee of three to revise, redraft, and so far as necessary to draft a new educational bill so as to increase the efficiency and improve the public schools of the state ;

H. 410. An act to amend section 37 of No. 1, acts of 1882, relating to apportionment for state and county taxes ;

H. 446. An act in amendment of section 21 of No. 225 of the session laws of 1884.

A house bill entitled

H. 365. An act to protect fish in Silver Lake, in the town of Franklin ;

Was read the third time.

Thereupon the passage of the bill was refused.

Mr. Wright moved that the senate reconsider its vote refusing a third reading to a bill entitled

S. 108. An act relating to the construction of a bridge from Grand Isle to North Hero ;

Which was agreed to.

Yeas, 18 ; nays, 11.

Mr. Judson having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,	Gray,	Slayton,
Bunker,	Hale,	Spear,
Chapin,	Hall,	Stevens,
Chase,	Marsh,	Swain,
Clark,	Nash,	Wells,
Draper,	Smith,	Wright—18.

Those senators who voted in the negative are Messrs.

Bailey,	Foster,	Stanley,
Bates,	Judson,	Stoddard,
Cushing,	Pierce,	Valentine—11.
Fletcher,	Powell,	

Thereupon on motion of Mr. Wright the bill was ordered to lie and be made the special order for this afternoon at three o'clock.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

**MR. PRESIDENT :**

I am directed by the Governor to inform the senate that on the 20th day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 99. An act repealing sections 2660 and 2661 of the Revised Laws and a part of section 2658, and abolishing the office of highway surveyor ;

S. 17. An act relating to bridges ;

S. 94. An act to amend section 171 of the Revised Laws, and to provide for an executive clerk.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 436. An act to incorporate the Springfield Water Supply Company ;

Reported in favor of the passage of the bill when amended by adding to section five the following: *Provided, that in case of such disagreement and appraisal said corporation shall make no entry upon the lands so appraised until payment or tender of the award of damages assessed as aforesaid has been made by the treasurer of said corporation to the said owners without expense to them;*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Chase from the general committee to which was referred a house bill entitled

H. 481. An act granting certain rights to George F. Cushman and others ;

Reported in favor of the passage of the bill in concurrence and on motion of Mr. Baker the same was ordered to lie.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

**MR. PRESIDENT :**

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 84. An act to incorporate the Barton academy and graded school ;

S. 75. An act to incorporate the Citizens' Savings Bank and Trust Company of St. Johnsbury ;

S. 136. An act in amendment of chapter 82 of the Revised Laws, relating to the discharge of persons imprisoned in bastardy cases ;

S. 115. An act to repeal No. 82 of the laws of 1884.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 272. An act to incorporate the Barre Water Company ;

H. 409. An act to incorporate the East Side Sewer Association of Brandon, Vt. ;

H. 412. An act relating to fire district No. 1 in Readsboro ;  
To the general committee.

H. 480. An act authorizing the removal of obstructions from Jay branch, so as to render the same navigable for the running of logs and timber ;

To the judiciary committee.

H. 485. An act in amendment of section 3418 of the Revised Laws, relating to railroad bridges ;

To the committee on railroads.

H. 259. An act in relation to district No. 7 in Ludlow, and district No. 12 in Plymouth ;

To the committee on education.

H. 255. An act to pay Eliza V. Guernsey the sum therein named ;

To the committee on claims.

H. 138. An act to incorporate the Burlington Investment and Guarantee Company ;

To the committee on banks.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That Mr. Jesse Stearns, the clerk of the committee on revision of bills, receive for his services during the present session the same pay as a member of the general assembly — three dollars per day during the entire session and mileage ; and the auditor of accounts is hereby directed to draw an order on the state treasurer in payment of the same.*

Was read and referred to the committee on finance.

Mr. Stoddard from the committee on railroads to which were referred bills of the following titles :

S. 46. An act to create a board of railroad commissioners and to define its duties ;

S. 72. An act to prescribe rules and regulations for the operation of railroads ;

S. 90. An act to regulate railroad freight and passenger tariffs in this state, to prevent unjust discrimination and extortion and to appoint a board of railroad commissioners and to prescribe their powers and duties ;

Reported adversely to their passage.

Thereupon the bills were severally refused a third reading.

Mr. Foster from the committee on finance to which was referred a joint resolution from the house relating to the mileage of E. W. J. Hawkins engrossing clerk ;

Reported in favor of its adoption

Thereupon the resolution was adopted in concurrence.

Senator Clark in the chair.

House bills of the following titles were severally reported from various committee to which they were referred, in favor of their passage :

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

By Mr. Clark from the committee on claims,

H. 441. An act to pay Smith A. Brooks the sum therein named ;

By Mr. Nash from the committee on claims,

H. 285. An act to pay T. Suter the sum therein named ;

By Mr. Valentine from the committee on education,

H. 355. An act to incorporate the Brandon graded school district ;

By Mr. Judson from the committee on elections,

H. 262. An act relating to check-lists in incorporated villages.

The president resumed the chair.

Mr. Foster from the special committee to which was referred a house bill entitled

H. 421. An act laying a tax on the county of Orleans to pay its indebtedness ;

Reported in favor of the passage of the bill with proposals of amendment to the house as follows :

First. By striking out after the word "dollars" in line two, section two, the words, "on the list of polls and ratable estate," and inserting in line thereof the words *on the grand list of 1887* ;

Second. By striking out all of section three after the word "Orleans," in the second line, and inserting in lieu thereof the words, *may draw an order on the town treasurer for the amount of the tax* ;

Which proposals of amendment were agreed to and the bill was read the third time and passed in concurrence with proposals of amendment.

President *pro tempore* in the chair.

Mr. Judson from the special joint committee on state and court expenses reported a bill entitled

S. 152. An act repealing an act providing for statistical information relative to the rate of property taxation ;

Which was read the first and second times and under the rule ordered to lie and be printed.

Mr. Bunker from the committee on education reported a bill entitled

S. 153. An act to allow towns and school districts to aid kindergarten schools ;

Which was read the first and second times and under a suspension of the rules read the third time and passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

Thereupon the bills were severally ordered to be read the third time to-morrow morning.

By Mr. Baker from the committee on the judiciary,

H. 332. An act in addition to chapter one hundred forty of the Revised Laws ;

By Mr. Cushing from the committee on education,

H. 97. An act in amendment of No. 26 of acts of 1884, relating to school money ;

H. 430. An act to amend No. 670 of the Revised Laws ;

By Mr. Stoddard from the committee on railroads,

H. 485. An act in amendment of section 3418 of the Revised Laws, relating to railroad bridges.

Mr. Cushing from the committee on education to which was referred a house bill entitled

H. 259. An act in relation to district No. 7 in Ludlow, and district No. 12 in Plymouth ;

Reported in favor of its passage in concurrence and on motion of Mr. Baker the same was ordered to lie.

Mr. Cushing from the committee on education to which was referred a house bill entitled

H. 82. An act to amend section 605 of the Revised Laws, relating to the town system of schools ;

Reported adversely to its passage in concurrence.

Thereupon on motion of Mr. Fletcher the bill was ordered to lie.

On motion of Mr. Swain the senate adjourned.

#### AFTERNOON.

A bill entitled

S. 113. An act to pay the secretary of state the sum therein named ;

Was taken up as a special order.

Thereupon the bill was refused a third reading.



A bill entitled

S. 20. An act in amendment of section 4005 of the Revised Laws, relating to fowls running at large ;

Was taken up as a special order and on motion of Mr. Bates ordered to lie.

A bill entitled

S. 108. An act relating to the construction of a bridge from Grand Isle to North Hero ;

Was taken up as a special order.

Thereupon the bill was ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 114. An act entitled an act in amendment of act No. 41 of the public acts of 1884, relating to savings banks ;

H. 211. An act to establish a state agricultural experiment station ;

H. 385. An act to amend an act relating to the registration of births, deaths and marriages ;

H. 391. An act relating to trust institutions ;

H. 422. An act to improve the militia of the state ;

H. 442. An act in amendment of an act entitled " an act relating to insurance companies," approved November 25th, 1884 ;

H. 494. An act providing for the assessment of a state tax ;

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 359. An act to pay Sidney H. Weston the sum therein named ;

H. 297. An act to pay E. W. Howe the sum therein named ;

H. 173. An act for the further protection of fish in the waters of Lake Bomoseen in the towns of Castleton and Hubbardton ;

H. 142. An act to pay Joseph Barton the sum therein named ;

H. 397. An act relating to the distribution of copies of the state military history ;

H. 322. An act relating to the rights of teachers to legal holidays ;

H. 295. An act authorizing the Fair Haven graded school district to issue its bonds for the purpose of paying its indebtedness ;

H. 403. An act in addition to chapter ninety-three of the Revised Laws relating to courts of insolvency ;

H. 438. An act authorizing the reduction of the capital stock of private corporations ;

H. 197. An act in relation to the sale of railroads under a decree or judgment ;

H. 399. An act in amendment of the charter of the Rutland and Woodstock Railroad Company, approved November 3, 1865 ;

H. 330. An act in amendment of an act to incorporate the Bristol Railroad Company and enable certain towns to aid in the construction thereof, approved November 28, 1882 ;

Also

Joint resolution providing for payment of mileage and per diem to the widow of Boardman F. Stafford.

A house bill entitled

H. 481. An act granting certain rights to George F. Cushman and others ;

Was taken up and on motion of Mr. Foster ordered to lie and be made the special order for to-morrow afternoon at two o'clock.

Mr. Hale from the committee on the judiciary to which was referred a house bill entitled

H. 480. An act authorizing the removal of obstructions from Jay branch so as to render the same navigable for the running of logs and timber ;

Reported adversely to its passage in concurrence and on motion of Mr. Bates the bill was ordered to lie and be made the special order for to-morrow afternoon at two o'clock and ten minutes.

A house bill entitled

H. 82. An act to amend section 605 of the Revised Laws, relating to the town system of schools ;

Was taken up ; the question being shall the bill be read the third time, it was decided in the affirmative. Yeas, 16 ; nays, 13 ;

Mr. Pierce having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,	Foster,	Powell,
Baker,	Hall,	Slayton,
Bates,	Judson,	Stevens,
Chase,	Marsh,	Wright—16.
Draper,	Nash,	
Fletcher.	Pierce,	

Those senators who voted in the negative are Messrs.

Blake,	Gray,	Swain,
Bunker,	Hale,	Valentine,
Chapin,	Smith,	Wells—13.
Clark,	Stanley,	
Cushing,	Stoddard,	

And the bill was ordered to be read the third time to-morrow morning.

Mr. Bunker from the committee of conference submitted the following report :

*To the Honorable Senate now in session :*

The committee of conference to which were referred the disagreeing votes of the two houses on the proposal of amendment from the house to a bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

Respectfully report that they have considered the same and recommend :

First. That section three be amended as proposed by the house ;

Second. That said section three be further amended by striking out in lines 24, 25 and 26 the words; " contain the certificate of the town superintendent testifying," and inserting in lieu thereof the words, *shall show* ;

Third. That said section three be further amended by striking out all of said section after the word " district " in the thirtieth line thereof ;

Fourth. That section four be amended by adding to the section the words, *exc pt where contracts have previously been made* ;

Fifth. That the house recede from its proposal of amendment to the first section.

C. A. BUNKER,	}	<i>Conference Committee on the part the of Senate.</i>
AUSTIN T. FOSTER,		
D. L. CUSHING,		

Z. M. MANSUR,	}	<i>Conference Committee on the part of the House.</i>
D. K. SIMONDS,		
J. L. BUTTERFIELD,		

Which was read and adopted on the part of the senate.

Mr. Bates from the committee of conference to which was referred a bill entitled

S. 11. An act relating to the competency of husband and wife as witnesses ;

Submitted the following report :

The committee of conference on the disagreeing votes of the two houses upon the amendments of the house to the bill of the senate, No. 11, " an act relating to the competency of husband and wife as witnesses," having met, after full and free conference have agreed to recommend and do recommend to their respective houses as follows :

That the house recede from its first proposed amendment numbered section two ;

That the senate recede from its disagreement to the second proposal of amendment numbered section three and agree thereto ;

That the house recede from its amendment numbered section four ;

That the senate recede from its disagreement to the amendment of the house numbered section five and agree to said amendment ;

HENRY C. BATES,	}	<i>Senate Committee.</i>
E. W. STODDARD,		
F. D. HALE,		

L. P. POLAND,	}	<i>House Committee.</i>
R. C. ABELL,		
S. HASELTON,		

Which was read and adopted on the part of the senate.

A house bill entitled

H. 259. An act in relation to district No. 7 in Ludlow and district No. 12 in Plymouth ;

Was taken up and passed in concurrence.

A bill entitled

S. 148. An act in amendment of section 1867 of the Revised Laws ;

Was taken up.

Mr. Clark moved that the bill be amended as follows :

First. By adding the following section :

SECTION 2. Section 1870 of the Revised Laws is hereby amended by striking out the word "petitioner" where it last occurs in said section and inserting in place thereof the word *petitioner*;

Second. By renumbering section "two" section *three* ;

Third. By adding to the title after the words, "eighteen hundred sixty-seven," the words, *eighteen hundred and seventy* ;

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time to-morrow morning.

A bill entitled

S. 149. An act relating to court expenses ;

Was taken up and ordered to be read the third time to-morrow morning.

A bill entitled

S. 150. An act relating to the Rutland and Woodstock Railroad Company ;

Was taken up, read the third time and passed.

Mr. Stanley from the general committee to which was referred a house bill entitled

H. 336. An act to incorporate the Ayrshire Breeders' Association ;

Reported in favor of the passage of the bill and the same was read the third time and passed in concurrence.

Mr. Stanley from the general committee to which was referred a house bill entitled

H. 239. An act to empower the town of Sharon to build a dam on the White River :

Reported in favor of its passage in concurrence.

Thereupon on motion of Mr. Baker the bill was ordered to lie.

Mr. Stevens from the committee on the grand list to which was referred a house bill entitled

H. 447. An act in amendment of section 292 of chapter twenty-four of the Revised Laws, relating to the quadrennial appraisal of real estate ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment by inserting after the word "taxable" in line seven, section one, the words, *slate and soapstone*;

Which proposal of amendment was disagreed to and on motion of Mr. Clark the bill was ordered to lie.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills of the following titles :

H. 22. An act in amendment of section 4110 of the Revised Laws ;

H. 235. An act laying a tax on the county of Bennington ;

H. 310. An act to incorporate the Morrisville Aqueduct Company ;

H. 327. An act declaring school district No. 1 in St. Johnsbury to be a union district ;

H. 378. An act in addition to section 861 of the Revised Laws, relating to service of process by sheriffs and other officers ;

H. 411. An act in addition to No. 108 of the session laws of 1882 ;

H. 421. An act laying a tax on the county of Orleans to pay its indebtedness ;

H. 436. An act to incorporate the Springfield Water Supply Company ;

And have concurred therein.

The house have passed bills of the following titles :

H. 483. An act relating to inebriates ;

H. 484. An act to provide state aid for disabled soldiers ;

H. 487. An act to provide for the erection of a monument to the memory of General Stannard;

H. 488. An act to provide for better school statistics;

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles:

S. 27. An act in amendment of section 563 of the Revised Laws, relating to duties of selectmen;

S. 28. An act to pay George W. Jenness the sum therein named.

S. 130. An act to amend section one of act No. 181 of the printed laws of 1880;

S. 133. An act to amend section 3696 of the Revised Laws; And have passed the same in concurrence.

The house has considered senate bill entitled

S. 67. An act to amend section 3855 of the Revised Laws and in addition thereto;

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

The house have considered senate bill entitled

S. 36. An act to establish an uniformity throughout the state of text-books to be used in the public schools;

And have refused the same a third reading.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 412. An act relating to fire district No. 1 in Readsboro;

Reported in favor of the passage of the bill in concurrence with proposal of amendment by striking out of section four all of the section after the words, "next term thereof," in the twenty-third line, and inserting in lieu thereof the words, *and in case of such disagreement and appraisal said corporation shall make no entry upon the lands so appraised until payment or tender of the award of damages assessed as aforesaid has been made by the treasurer of said corporation to the said owners without expense to them;*

Which proposal of amendment was agreed to and on motion of Mr. Baker the bill was ordered to lie.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 407. An act to amend section 3276 of the Revised Laws;

Reported in favor of the passage of the bill in concurrence and the same was ordered to be read the third time to-morrow morning.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 272. An act to incorporate the Barre Water Company ;

Reported in favor of the passage of the bill in concurrence when amended by striking out all of section six after the word "arbiters," in the twenty-fourth line, and inserting in lieu thereof the words, *and in case of such disagreement and appraisal said corporation shall make no entry upon the land so appraised until payment or tender of the award of damages assessed as aforesaid has been made by the treasurer of said corporation to the said owners without expense to them;*

Which proposal of amendment was agreed to.

Whereupon the bill was read the third time and on motion of Mr. Baker ordered to lie.

Mr. Valentine from the general committee to which was referred a house bill entitled

H. 486. An act to incorporate the Bennington Water Company ;

Reported in favor of its passage and the bill was read the third time and passed in concurrence.

Mr. Clark from the committee on the judiciary to which was referred a house bill entitled

H. 1. An act to repeal chapter one hundred and thirty-five of the Revised Laws, and to amend various other sections ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment by striking out section seven ;

Which proposal of amendment was agreed to and the bill was read the third time.

Whereupon on motion of Mr. Baker the bill was ordered to lie and be made the special order for seven o'clock and thirty minutes in the evening.

House bills of the following titles were severally read the first and second times and referred as follows .

H. 114. An act entitled an act in amendment of act No. 41 of the public acts of 1884, relating to savings banks ;

H. 391. An act relating to trust institutions ;

H. 442. An act in amendment of an act entitled "an act relating to insurance companies," approved November 25th, 1884 ;

To the committee on banks.

H. 211. An act to establish a state agricultural experiment station ;

To the committee on agriculture.

H. 385. An act to amend an act relating to the registration of births, deaths and marriages ;

To the special committee on state and court expenses.

- H. 422. An act to improve the militia of the state ;
- H. 484. An act to provide state aid for disabled soldiers ;
- H. 487. An act to provide for the erection of a monument to the memory of General Stannard ;  
To the committee on military affairs.
- H. 483. An act relating to inebriates ;  
To the committee on temperance legislation.
- H. 488. An act to provide for better school statistics ;  
To the committee on education.
- H. 494. An act providing for the assessment of a state tax ;  
To the committee on finance.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows ;

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

- S. 41. An act in amendment of and in addition to section 3878 of the Revised Laws, relating to preservation of fish ;
- S. 104. An act relating to assessments on the capital stock of Queen City Park Association ;
- S. 109. An act to change the name of the Pine Hill Cemetery Association to the Evergreen Cemetery Association and to legalize its action ;
- S. 101. An act to incorporate the Burlington Board of Trade ;
- S. 139. An act relating to voters residing in unorganized towns and gores.

I am directed by the Governor to transmit to the senate two communications in writing.

Mr. Baker moved that the senate go into executive session at five o'clock and thirty minutes in the afternoon ;

And the same was agreed to.



## EXECUTIVE SESSION.

The president laid before the senate the following communication from His Excellency, the Governor :

## STATE OF VERMONT,

EXECUTIVE CHAMBER,  
MONTPELIER, November 22, 1886. }

*To the President of the Senate :*

SIR :—I have the honor to nominate for the consideration and advice of the senate,

W. W. Cook of Burlington,  
Henry Lane of Cornwall,  
Marvin W. Davis of Westminster,  
Daniel L. Cushing of Hartford,  
Rollin C. Smith of Pittsford,  
Henry H. Hill of Isle La Motte,

as members of the state board of agriculture, to hold office for the term of two years from and including the first day of December next.

EBENEZER J. ORMSBEE,

*Governor.*

Which was read.

Thereupon under the rule the communication was ordered to lie over twenty-four hours.

The president laid before the senate a further communication from His Excellency, the Governor, as follows :

## STATE OF VERMONT,

EXECUTIVE CHAMBER,  
MONTPELIER, November 22, 1886, }

*To the President of the Senate :*

SIR :—I have the honor to nominate, for the consideration and action of the senate,

Samuel E. Pingree of Hartford,  
Henry L. Clark of Castleton,  
Truman C. Fletcher of St. Johnsbury,

as a board of railroad commissioners to hold office for the term of two years from and after the first day of December, A. D. 1886.

EBENEZER J. ORMSBEE,

*Governor.*

Which was read and under the rule ordered to lie over twenty-four hours.

On motion of Mr. Baker the executive session was dissolved and the doors of the senate were opened.

Mr. Nash moved that the senate take a recess until seven o'clock in the evening ;

Which was agreed to.

#### EVENING.

At the expiration of the recess the president resumed the chair.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

Thereupon under a suspension of the rules, the bills were severally read a third time and passed in concurrence.

By Mr. Valentine from the committee on military affairs,

H. 422. An act to improve the militia of the state ;

By Mr. Chase from the committee on military affairs,

H. 487. An act to provide for the erection of a monument to the memory of General Staunard ;

By Mr. Bunker from the committee on education,

H. 161. An act incorporating school district No. 4. in St. Albans by the name of St. Albans Academy and Franklin County Grammar School.

House bills of the following titles were severally reported from the various committee to which they were referred, in favor of their passage in concurrence :

Thereupon the bills were severally ordered to a third reading tomorrow morning.

By Mr. Valentine from the committee on education,

H. 488. An act to provide for better school statistics ;

By Mr. Smith from the committee on finance,

H. 494. An act providing for the assessment of a state tax ;

By Mr. Chapin from the committee on highways and bridges ;

H. 454. An act to prevent accidents in the highways.

A house bill entitled

H. 1. An act to repeal chapter one hundred and thirty-five of the Revised Laws, and to amend various other sections ;

Was taken up as a special order.

The question being, shall the bill be passed in concurrence with proposals of amendment,

It was decided in the negative. Yeas, 13 ; nays, 14.

Mr. Baker having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,	Gray,	Powell,
Blake,	Hale,	Slayton,
Clark,	Marsh,	Swain,
Fletcher,	Pierce,	Valentine—13.
Foster,		

Those senators who voted in the negative are Messrs.

Bailey,	Cushing,	Stevens,
Baker,	Nash,	Stoddard.
Bunker,	Spear,	Wells,
Chapin,	Stanley,	Wright—13.
Chase,		

The president being called voted in the negative.

So the senate refused to pass the bill in concurrence with proposal of amendment.

Mr. Nash from the committee on claims to which was referred a house bill entitled

H. 255. An act to pay Eliza V. Guernsey the sum therein named ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows : By striking out in line three, section one, the words, "six hundred and fifty," and inserting in lieu thereof the words, *three hundred and twenty-five*;

Which proposal of amendment was disagreed to :

Thereupon the bill was ordered to be read a third time.

Yeas, 23 ; nays, 4.

Mr. Bates having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,	Gray,	Spear,
Blake,	Judson,	Stanley,
Bunker,	Marsh,	Stevens,
Chapin,	Nash,	Swain,
Chase,	Pierce,	Valentine,
Cushing,	Powell,	Wells,
Fletcher,	Smith,	Wright—23.
Foster,	Slayton,	

Those senators who voted in the negative are Messrs.

Bailey,	Clark,	Stoddard—4.
Bates,		

So the bill was ordered to be read the third time, read the third time and passed in concurrence.

A house bill entitled

H. 412. An act relating to fire district No. 1 in Readsboro ;

Was taken up and on motion of Mr. Baker the vote agreeing to the amendments proposed by the committee was reconsidered ;

Thereupon the proposed amendments were disagreed to and on motion of Mr. Baker the bill was ordered to be recommitted to the general committee.

Mr. Clark from the committee on claims reported a bill entitled  
S. 154. An act fixing the compensation for an autopsy in state  
cases ;

Which was read the first and second times and under a suspension  
of rules read the the third time and passed.

Mr. Foster from the committee on finance to which was referred a  
joint resolution from the house, providing for the payment of per  
diem and mileage to Jesse Stearns, clerk to the committee on the  
revision of bills,

Reported in favor of its adoption in concurrence.

Thereupon the resolution was adopted in concurrence.

Mr. Hale moved that the senate request the house to return to the  
possession of the senate a house bill entitled

H. 233. An act relating to the protection of fish ;

And the same was agreed to.

A bill entitled

S. 145. An act relating to fish in Lake Champlain and its tribu-  
taries ;

Was taken up and ordered to be read the third time to-morrow  
morning.

Bills of the following titles were severally taken up and passed :

S. 128. An act in amendment of section three of No. 52, acts of  
1884, approved November 26, 1884, relating to the insane ;

S. 147. An act to amend section 3607 of the Revised Laws.

A message was received from the house of representatives by Mr.  
Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered  
the reports of the conference committees upon senate bills of the  
following titles :

S. 11. An act relating to the competency of husband and wife as  
witnesses ;

S. 79. An act to provide for the study of scientific temperance  
in the public schools of the State of Vermont ;

And have severally adopted the same on their part.

The house have passed a bill of the following title :

H. 250. An act to annex the town of Greensboro to the county of  
Caledonia ;

In the passage of which the concurrence of the senate is requested.

The governor has informed the house that he has approved and  
signed bills originating in the house of the following titles :

H. 275. An act authorizing the village of Fair Haven to borrow  
money on its bonds.

H. 400. An act to pay H. F. Bartlett the sum therein named ;

H. 357. An act to amend section four hundred sixty, chapter twenty-seven, of the Revised Laws, relating to town superintendents' accounts for services ;

H. 406. An act to enable the Brandon Cemetery Association to lay a water-pipe or pipes from the water-works of fire district No. 1 of Brandon to the cemetery of said association ;

H. 489. An act to create a board of railroad commissioners and to define and regulate its powers and duties ;

H. 20. An act to empower the selectmen of the town of Irasburgh to sell and convey grammar school lot in said town ;

H. 338. An act to pay Andrew P. Davis the sum therein named ;

H. 222. An act to incorporate the Hardwick and Marshfield Railroad Company ;

H. 389. An act to authorize the town of Irasburgh to use certain property for the support of public schools ;

H. 363. An act relating to annual meetings in school district No. 2, Brandon ;

H. 444. An act relating to the grammar school lands in the town of Greensboro ;

H. 293. An act to pay the town of Williston the sum of thirty-four dollars ;

H. 350. An act to incorporate the Bennington Center Cemetery Association.

A bill entitled

S. 67. An act to amend section 3855 of the Revised Laws, and in addition thereto ;

Was taken up, having been returned from the house with proposal of amendment as follows :

By adding to section one the following words : *And in case bail is forfeited by the respondent in prosecutions under the above sections to recover any such fines or penalties, twenty dollars of such forfeited bail shall go to the prosecuting officer and the state auditor is hereby directed to draw his order on the state treasurer in favor of such prosecuting officer for said sum of twenty dollars ;*

Pending the question will the senate agree to the same ;

On motion of Mr. Blake the bill was ordered to lie.

A house bill entitled

H. 272. An act to incorporate the Barre Water Company ;

Was taken up.

Thereupon the vote agreeing to the amendments proposed by the committee was reconsidered and on motion of Mr. Baker the bill was ordered to lie.

A house bill entitled

H. 250. An act to annex the town of Greensboro to the county of Caledonia ;

Was read the first and second times and referred to the general committee.

On motion of Mr. Baker the senate adjourned.

TUESDAY, NOVEMBER 23, 1886.

Reading of scriptures and prayer by the chaplain.

On motion of Mr. Baker the senate took a recess for ten minutes.

At the expiration of the recess the president resumed the chair.

A bill entitled

S. 108. An act relating to the construction of a bridge from Grand Isle to North Hero ;

Was read the third time and passed.

Yeas, 18 ; nays, 12.

Mr. Fletcher having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Baker,	Gray,	Slayton,
Bunker,	Hale,	Spear,
Chapin,	Hall,	Stevens,
Chase,	Marsh,	Swain,
Clark,	Nash,	Wells,
Draper,	Smith,	Wright—18.

Those senators who voted in the negative are Messrs.

Bailey,	Fletcher,	Powell,
Bates,	Foster,	Stanley,
Blake,	Judson,	Stoddard,
Cushing,	Pierce,	Valentine—12.

So the bill was passed.

A house bill entitled

H. 97. An act in amendment of No. 26 of acts of 1884, relating to school money ;

Was read the third time and passage in concurrence refused.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to request the senate to return to the possession of the house senate bill entitled

S. 95. An act in amendment of chapter one hundred sixty-nine of the Revised Laws, relating to the traffic in intoxicating liquors.

I am directed by the house to return to the possession of the senate, agreeably to their request, house bill entitled

H. 233. An act relating to the protection of fish.

The house have passed bills of the following titles :

H. 203. An act in amendment of section one of No. 117 of the acts of 1884 :

H. 443. An act to incorporate the village of Barre ;

H. 491. An act to incorporate a medical school and hospital at St. Johnsbury, Vermont ;

In the passage of which the concurrence of the senate is requested.

The house have on their part adopted joint resolutions as follows :

Joint resolution relating to pay of secretary of the senate and clerk of the house and others ;

Joint resolution relating to the protection of American industries ;

In the adoption of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 134. An act to empower the village of Barton to bring water into said village and issue bonds therefor ;

S. 142. An act in amendment of section one of No. 245 of the laws of 1884, entitled " an act for the protection of fish in Lake Bomoseen and Inman Pond ;"

And have passed the same in concurrence.

The house have considered senate bill entitled

S. 151. An act relating to the village of Rutland and in amendment of its charter ;

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 446. An act in amendment of section 21 of No. 225 of the session laws of 1884 ;

H. 309. An act in amendment of section 1556 of the Revised Laws, and in addition thereto ;

H. 364. An act appointing a committee of three to revise, re-draft, and so far as necessary, to draft a new educational bill so as to increase the efficiency of and improve the public schools of the state ;

H. 232. An act to prevent fishing in the waters of Lake Seymour in the town of Morgan for a period of three years ;

H. 327. An act declaring school district No. 1 in St. Johnsbury to be a union district ;

H. 421. An act laying a tax on the county of Orleans to pay its indebtedness ;

H. 366. An act to incorporate the Windsor public library ;

H. 22. An act in amendment of section 4110 of the Revised Laws ;

H. 378. An act in addition to section 861 of the Revised Laws, relating to service of process by sheriffs and other officers ;

H. 235. An act laying a tax on the county of Bennington ;

H. 411. An act in addition to No. 180 of the session laws of 1882 ;

H. 183. An act to incorporate the American Commercial Company ;

H. 380. An act in amendment of acts incorporating the village of Barton ;

H. 479. An act in amendment of sections 37 and 39 of the laws of 1884, entitled "an act in amendment of, and in addition to, an act to incorporate the village of Bennington," approved November 3d, 1849 ;

H. 328. An act to amend an act defining the power of the village of Newport ;

H. 254. An act laying a tax on the county of Washington ;

H. 358. An act laying a tax on the county of Orange ;

H. 441. An act to pay Smith A. Brooks the sum therein named ;

H. 285. An act to pay T. Suter the sum therein named ;

H. 355. An act to incorporate the Brandon graded school district ;

H. 262. An act relating to check-lists in incorporated villages ;

H. 410. An act to amend section 37, No. 1, acts 1882, relating to apportionment for state and county taxes ;

Also a joint resolution relating to the payment of mileage to E. W. J. Hawkins, engrossing clerk.



Bills of the following titles were severally read the third time and passed :

S. 148. An act in amendment of section 1867 of the Revised Laws ;

S. 149. An act relating to court expenses.

A bill entitled

S. 145. An act relating to fish in Lake Champlain and its tributaries ;

Was read the third time.

Mr. Clark moved that the bill be committed to a senator to amend ;

First. By striking out in line eight, section two, the word and figures " twenty (20) " and inserting in lieu thereof the word *ten* ;

Second. By striking out in line eleven, section two, the word and figure " five (5) " and inserting in place thereof the word *two* ;

And the same was agreed to.

Thereupon the bill was committed to the senator from Rutland to amend who reported the same back amended agreeably to the instructions of the senate.

Whereupon the bill was passed.

A house bill entitled

H. 82. An act to amend section 605 of the Revised Laws, relating to the town system of schools ;

Was read the third time and passed in concurrence.

Yeas, 16 ; nays, 14.

Mr. Bates having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bailey,  
Baker,  
Bates,  
Chase,  
Draper,  
Fletcher,

Foster,  
Hall,  
Judson,  
Marsh,  
Nash,  
Pierce,

Powell,  
Slayton,  
Stevens,  
Wright—16.

Those senators who voted in the negative are Messrs.

Blake,  
Bunker,  
Chapin,  
Clark,  
Cushing,

Gray,  
Hale,  
Smith,  
Spear,  
Stanley,

Stoddard,  
Swain,  
Valentine,  
Wells—14.

So the bill was passed in concurrence.

Mr. Wells moved that the senate return to the house, agreeably to its request, a bill entitled

S. 95. An act in amendment of chapter 169 of the Revised Laws, relating to the traffic in intoxicating liquors ;

And the same was agreed to.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 407. An act to amend section 3276 of the Revised Laws ;

H. 430. An act to amend section 670 of the Revised Laws ;

H. 485. An act in amendment of section 3418 of the Revised Laws, relating to railroad bridges ;

H. 332. An act in addition to chapter 140 of the Revised Laws.

A house bill entitled

H. 454. An act to prevent accidents in the highway ;

Was read the third time.

Mr. Bates moved that the senate propose to the house to amend the bill by inserting after the word "cub" in line two, section one, the words, *hog or pig* ;

Which was disagreed to and the bill was passed in concurrence.

A house bill entitled

H. 488. An act to provide for better school statistics ;

Was read the third time and the senate refused to pass the bill in concurrence.

A house bill entitled

H. 494. An act providing for the assessment of a state tax ;

Was read the third time, and on motion of Mr. Cushing ordered to lie and be made the special order for this afternoon at two o'clock and thirty minutes.

Mr. Wells moved that the senate reconsider its vote refusing to pass in concurrence with proposal of amendment a house bill entitled

H. 1. An act to repeal chapter 135 of the Revised Laws, and to amend various other sections ;

And the same was agreed to.

Thereupon the bill was passed in concurrence with proposal of amendment.

Yeas, 16 ; nays, 14.

Mr. Baker having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,	Gray,	Smith,
Blake,	Hale,	Slayton,
Clark,	Hall,	Swain,
Draper,	Judson,	Valentine—16.
Fletcher,	Marsh,	
Foster,	Pierce,	

Those senators who voted in the negative are Messrs.

Bailey,	Cushing,	Stevens,
Baker,	Nash,	Stoddard,
Bunker,	Powell,	Wells,
Chapin,	Spear,	Wright—14.
Chase,	Stanley,	

So the bill was passed in concurrence with proposal of amendment.

Mr. Hale moved that the rules be suspended and that the senate reconsider its vote passing in concurrence a house bill entitled

H. 233. An act relating to the protection of fish ;

And the same was agreed to.

Mr. Hale moved that the senate propose to the house to amend the bill by striking out in line nine, section one, the word "fish" and inserting in lieu thereof the word *sturgeons* ;

Which was agreed to.

Thereupon the bill was passed in concurrence with proposal of amendment.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 143. An act relating to pay of employes at the state house ;

H. 189. An act to amend sections one and two of No. 85 of the acts of 1884 ;

H. 230. An act regulating the ejection of passengers from railroad trains ;

H. 305. An act in relation to electric light companies ;

H. 312. An act in addition to act No. 12 of the acts of 1884 ;

H. 321. An act to protect the inhabitants of the state against the destruction of life and property by dynamite or other dangerous explosives ;

H. 324. An act to punish false or fraudulent representations in obtaining certificates of registration of cattle and other animals ;

H. 361. An act to pay Freeman F. Bean the sum therein named ;

H. 464. An act in addition to chapter 169 of the Revised Laws, relating to the suppression of nuisances ;

H. 490. An act in amendment of No. 11 of the acts of 1884, relating to highways and bridges ;

H. 493. An act to establish true meridian lines ;

H. 495. An act making provision for the support of government ;

H. 498. An act in amendment of and in addition to an act entitled "an act to incorporate the town of West Rutland, approved November 19, 1886 ;

In the passage of which the concurrence of the senate is requested.

Mr. Smith, by unanimous consent, introduced a bill entitled

S. 155. An act relating to the state library building ;

Which was read the first and second times and referred to the joint committee on the library.

Senator Smith in the chair.

Mr. Clark from the committee on claims reported a bill entitled  
S. 156. An act to pay C. H. Pitkin and H. A. Huse the sum therein named ;

Which was read the first and second times and under a suspension of the rules read the third time and passed.

A house bill entitled

H. 272. An act to incorporate the Barre Water Company ;

Was taken up and Mr. Baker moved that the senate propose to the house to amend the bill as follows :

First. By filling the blank in section three with the word *fifty* ;

Second. By inserting after the word " premises " in line fourteen, section six, the words, *to decide upon the necessity and propriety of taking said lands, springs, waters, water rights, rights of way or easements ;*

Third. By inserting after the word " way," in line twenty-one, section six, the words, *for any damages or costs that may be awarded by the court ;*

Fourth. By striking out all of section six after the word " be," in line twenty-three, and inserting in place thereof the words, *made to Washington county court which shall have the same powers as when the commissioners were appointed by the judges ;*

Which proposals of amendment were severally agreed to and the bill was passed in concurrence with proposals of amendment.

On motion of Mr. Baker the senate adjourned.

#### AFTERNOON.

Mr. Stoddard moved that the rules be suspended for the remainder of this session ;

And the same was agreed to.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 143. An act relating to the pay of employes at the state house ;

To the committee on state and court expenses.

H. 189. An act to amend sections one and two of No. 85 of the acts of 1884 :

H. 305. An act in relation to electric light companies ;

H. 443. An to incorporate the village of Barre ;

H. 491. An act to incorporate a medical school and hospital at St. Johnsbury, Vermont ;

H. 493. An act to establish true meridian lines ;

To the general committee.

H. 230. An act regulating the ejection of passengers from railroad trains ;

To the committee on railroads.

H. 312. An act in addition to act No. 12 of the acts of 1884 ;

H. 321. An act to protect the inhabitants of the state against the destruction of life and property by dynamite or other dangerous explosives ;

H. 464. An act in addition to chapter 169 of the Revised Laws, relating to the suppression of nuisances ;

H. 203. An act in amendment of section one of No. 117 of the acts of 1884 ;

To the committee on the judiciary.

H. 324. An act to punish false or fraudulent representations in obtaining certificates of registration of cattle and other animals ;

To the committee on agriculture.

H. 361. An act to pay Freeman F. Bean the sum therein named ;

To the committee on claims.

H. 490. An act in amendment of No. 11 of the acts of 1884, relating to highways and bridges ;

To the committee on highways and bridges.

H. 495. An act making provision for the support of government ;

To the committee on finance.

H. 498. An act in amendment of and in addition to an act entitled "an act to incorporate the town of West Rutland," approved November 19, 1886 ;

To a special committee consisting of

Senator Chase,  
Smith,  
Stanley.

A joint resolution from the house as follows :

Relating to the protection of American industries, the extension of the American commerce in foreign markets—and the restoration of the American built merchant marine and our flag upon the ocean :

*Resolved by the Senate and House of Representatives*, that with the many thousands of skilled laborers in this country, seeking and not finding employment; that with the enormous accumulations of our manufactured products piled up in our warehouses awaiting a market; that with the eager watchfulness of the great manufacturing and commercial nations for opportunities to crowd their surplus products into our already overstocked markets, while they jealously exclude us from trade with the non-producing nations by reason of their control of the merchant fleets that bear the world's commerce, our present protective tariff remains of vital importance to the welfare and prosperity of the whole people—employer and employe in equal degree—and the restoration of our once proud supremacy on the high seas, carrying American goods in American built ships to all the markets of the world is an immediate national necessity;

*Resolved*, That the secretary of state be instructed to prepare and forward copies of these resolutions to our senators and representatives in congress and they are respectfully requested to use their best efforts to promote the interests herein specified;

Was read and adopted in concurrence.

A joint resolution from the house as follows:

*Resolved by the Senate and House of Representatives*, That the state treasurer be and is hereby directed to pay to the secretary, assistant secretary and reporter of the senate, and the clerk, first and second assistant clerks, and reporters of the house of representatives the salary provided by law for each of said officers upon the rising of the present session of the legislature;

Was read and adopted in concurrence.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed a bill entitled

H. 497. An act to incorporate the American Land and Loan Company;

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles:

S. 95. An act in amendment of chapter 169 of the Revised Laws, relating to the traffic in intoxicating liquor;

S. 97. An act in amendment of section 3818 of the Revised Laws, relating to intoxicating liquor;

S. 98. An act in relation to the Bennington Battle Monument;

S. 121. An act in relation to the division of the income of school funds;

S. 125. An act in relation to the equalization of school property in towns adopting the town system of schools;

S. 143. An act in amendment of No. 139 of the acts of 1884 and in addition thereto, relating to levy of execution ;

S. 144. An act to amend section 290 of the Revised Laws, relating to commissioners and collectors of taxes in unorganized towns and gores ;

S. 150. An act relating to the Rutland and Woodstock Railroad Company ;

And have passed the same in concurrence.

The house have considered senate bills of the following titles :

S. 29. An act to prevent the spreading of contagious diseases and to establish a state board of health ;

S. 111. An act to authorize the Tuttle Company to republish certain Vermont Reports ;

S. 140. An act to amend section 1744 Revised Laws, relating to fines and costs ;

S. 141. An act to amend sections 4503 and 4505 of the Revised Laws, and to facilitate investigation in criminal cases ;

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

Mr. Valentine from the general committee to which was referred a house bill entitled

H. 412. An act relating to fire district No. 1 in Readsboro ;

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows :

First. By inserting after the word "premises" in line sixteen, section four, *and to decide the necessity and propriety of taking any lands, water or property ;*

Second. By inserting in section four, line twenty-three, after the words, "next term thereafter," the following: *and in case of such disagreement and appraisal said corporation shall make no entry upon lands so appraised until payment or tender of award of damages assessed as aforesaid has been made by the treasurer of the corporation to said owners without expense to them ;*

Third. By striking out all of section four after the word "premises," in line twenty-eight ;

Which proposals of amendment were severally agreed to, and the bill was read the third time and passed in concurrence with proposals of amendment.

Senator Judson in the chair.

Mr. Chase from the joint committee on the library to which was referred a bill entitled

S. 155. An act relating to the state library building ;

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed.

Mr. Blake from the committee on the judiciary to which was referred a bill entitled

S. 78. An act to amend section 266 of the Revised Laws, relating to taxation ;

Reported adversely to the passage of the bill and the same was refused a third reading.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Pierce from the committee on banks,

H. 391. An act relating to trust institutions ;

By Mr. Chase from the general committee,

H. 420. An act amending section 3955 of the Revised Laws ;

By Mr. Smith from the committee on finance,

H. 495. An act making provision for the support of government.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Chapin from the committee on highways and bridges to which was referred a bill entitled

S. 117. An act to repeal act No. 18 of the session laws of 1884 ;

Reported the same back to the senate without an expression of opinion, and on motion of Mr. Chapin the same was ordered to lie.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 250. An act to annex the town of Greensboro to the county of Caledonia ;

Reported adversely to the passage of the bill in concurrence, and the same was refused a third reading.

Mr. Wells from the committee on banks to which was referred a house bill entitled

H. 114. An act entitled an act in amendment of act No. 41 of the public acts of 1884, relating to savings banks ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment by striking out in line six, section two, the word "forty-five ;" and inserting in lieu thereof the word *fifty* ;

Which proposal of amendment was agreed to and the bill was refused a third reading.

The president resumed the chair.

Mr. Valentine from the committee on military affairs to which was referred a house bill entitled

H. 484. An act to provide state aid for disabled soldiers ;

Reported the same back to the senate without an expression of opinion and the same was refused a third reading.



Mr. Blake from the special committee on temperance legislation to which was referred a house bill entitled

H. 483. An act relating to inebriates ;

Reported the same back to the senate without an expression of opinion and the bill was refused a third reading.

A house bill entitled

H. 481. An act granting certain rights to George F. Cushman and others ;

Was taken up as a special order.

Thereupon the senate refused to pass the bill.

A house bill entitled

H. 480. An act authorizing the removal of obstructions from Jay branch so as to render the same navigable for the running of logs and timber ;

Was taken up as a special order and the same was refused a third reading.

A house bill entitled

H. 494. An act providing for the assessment of a state tax ;

Was taken up as a special order and on motion of Mr. Smith ordered to lie.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills of the following titles :

H. 233. An act relating to the protection of fish ;

H. 272. An act to incorporate the Barre Water Company ;

H. 1. An act to repeal chapter one hundred and thirty-five of the Revised Laws, and to amend various other sections ;

And have concurred therein.

The house have on their part adopted a joint resolution relating to the purchase by the state of certain rolls and other papers relating to the soldiers of the war 1812, now owned by A. G. Brush ;

In the adoption of which the concurrence of the senate is requested.

The house have passed bills of the following titles :

H. 55. An act changing the time of holding the supreme court in the county of Orange ;

H. 356. An act in respect to witnesses ;

H. 496. An act relating to text-books in public schools ;

In the passage of which the concurrence of the senate is requested.

The house have considered senate bill entitled

S. 77. An act requiring railroad corporations to provide and carry drinking water in passenger cars ;

And have refused the same a third reading.

The house have considered senate bills of the following titles :

S. 135. An act in addition to act No. 48 of the acts of 1884, relating to the insane, and to repeal section 2907 of the Revised Laws ;

S. 154. An act fixing the compensation for an autopsy in state cases ;

And have passed the same in concurrence.

The house have considered senate bill entitled

S. 146. An act relating to private corporations organized by a special acts of incorporation.

And have passed the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the senate is requested.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

Thereupon the same was severally read the third time and passed in concurrence.

By Mr. Wells from the committee on banks,

H. 442. An act in amendment of an act entitled " an act relating to insurance companies," approved November 25th, 1884 ;

By Mr. Spear from the committee on highways and bridges,

H. 426. An act in addition to section 3154 of the Revised Laws, in relation to turnpikes ;

Mr. Stanley from the general committee to which was referred a house bill entitled

H. 409. An act to incorporate the East Side Sewer Association of Brandon, Vermont ;

Reported in favor of the passage of the bill in concurrence with proposals of amendment by adding to section three the words : *and in all proceedings under this act for taking any private property or rights, the necessity and propriety of such action shall be passed upon by the selectmen and an appeal shall be allowed as provided in chapter 149 of the Revised Laws ;*

Which proposal of amendment was agreed to and the bill was read the third time and passed in concurrence with proposal of amendment.

Mr. Slayton from the committee on agriculture to which was referred a house bill entitled

H. 211. An act to establish a state agricultural experiment station ;

Reported the same back to the senate without an expression of opinion.

Mr. Chapin moved that the senate propose to the house to amend the bill by striking out section eight ;

And the same was agreed to.

Mr. Fletcher moved that the senate propose to the house to further amend the bill by adding to section two the words, *and to pay said expenses from the eight thousand dollars now received as income from the Agricultural College Fund, so called;*

And the same was disagreed to.

Thereupon the bill was read the third time and passed in concurrence with proposal of amendment.

Mr. Bates from the committee on state and court expenses to which was referred a house bill entitled

H. 143. An act relating to pay of employes at the state house ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house by striking out in section one the words, "and all other employes of the state house.

Mr. Smith moved that the amendment proposed by the committee be amended by inserting in lieu of the words stricken out the words, *the clerk in the office of the treasurer and the night watchman;*

Which was agreed to.

Mr. Bates moved to further amend the pending amendment by inserting after the words, "night watchman," the words, *and assistant engineer;*

Which was agreed to.

Thereupon the amendment proposed by the committee as amended was disagreed to.

Yeas, 6 ; nays, 17.

Mr. Fletcher having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Draper,	Smith,	Swain,
Marsh,	Spear,	Wells—6.

Those senators who voted in the negative are Messrs.

Bailey,	Hale,	Stanley,
Baker,	Hall,	Stevens,
Bates,	Judson,	Stoddard,
Blake,	Nash,	Valentine,
Fletcher,	Pierce,	Wright—17.
Foster,	Powell,	

So the amendment was disagreed to.

Thereupon the third reading of the bill was refused.

Yeas, 4 ; nays, 19.

Mr. Valentine having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,	Nash,	Swain—4.
Chase,		

Those senators who voted in the negative are Messrs.

Bailey,	Hall,	Stevens,
Blake,	Judson,	Stoddard,
Bunker,	Pierce,	Valentine,
Cushing,	Powell,	Wells,
Fletcher,	Smith,	Wright—19.
Foster,	Spear,	
Hale,	Stanley,	

So the bill was refused a third reading.

Mr. Spear from the committee on highways and bridges to which was referred a house bill entitled

H. 490. An act in amendment of No. 11 of the acts of 1884, relating to highways and bridges ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment by striking out "and," between the figures "4" and "5" in line one, section seven, and inserting after the figure "5," *and 8* ;

Which proposal of amendment was agreed to, and the bill was read the third time and passed in concurrence with proposal of amendment.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed a bill of the following title :

H. 499. An act to pay Lieut. Orrin S. Dorman the sum therein named ;

In the passage of which the concurrence of the senate is requested.

The house have considered senate bill entitled

S. 108. An act relating to the construction of a bridge from Grand Isle to North Hero ;

And have refused the same a third reading.

The house have considered senate bill entitled

S. 131. An act to incorporate the Howe Scale Company of 1886 ;

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

Mr. Bates from the committee on state and court expenses to which was referred a house bill entitled

H. 385. An act to amend an act relating to the registration of births, deaths and marriages ;

Reported in favor of the passage of the bill and the same was read the third time and passed in concurrence.

Mr. Gray from the committee on banks to which was referred a house bill entitled

H. 268. An act to incorporate the S. M. Dorr Investment Company ;

Reported in favor of the passage of the bill with proposals of amendment as follows :

First. By striking out in section one all after the word "Vermont" in line eight ;

Second. By inserting after the word "lender," in line nineteen of section eight, the following words: *And provided that for all liabilities incurred on account of the issue of notes or obligations as above provided, the said corporation shall deposit as collateral security with some trust company chartered and organized under the laws of the state, notes, bonds or other evidences of indebtedness to an amount ten per cent in excess of the total amount of such notes or obligations issued by said corporation as aforesaid;*

Third. By inserting after the word "to" in line thirteen, section nine, the word *twice* ;

Fourth. By striking out after the word "until" in lines one and two, section nine, the words, "at least twenty per cent," and inserting in lieu thereof the word *all* ;

Which proposals of amendment were agreed to and the bill was read the third time and passed in concurrence with proposals of amendment.

Senate bills of the following titles were severally taken up and house proposals of amendment to the same were severally concurred in as follows :

S. 29. An act to prevent the spreading of contagious diseases and to establish a state board of health ;

First. By striking out in line nine, section one, the word "members" and inserting in lieu thereof the word *board* ;

Second. By striking out sections four and eight.

S. 111. An act to authorize the Tuttle Company to republish certain Vermont Reports ;

By adding thereto the following words: *Provided that said Tuttle Company shall furnish the state library free of charge one copy of each volume of said Lawyer's Ready Reference Series, as fast as published.*

S. 140. An act to amend section 1744, Revised Laws, relating to fines and costs ;

By striking out all of section one after the word "costs" in line twenty-one.

S. 146. An act relating to private corporations organized by special acts of incorporation ;

By adding to section one the following :

*Provided, however, that nothing in this act shall be construed to prevent corporations from contracting debts to an amount not exceeding three-fourths of their capital stock actually paid in, when specially allowed to do so by this act of incorporation.*

A bill entitled

S. 141. An act to amend sections 4503 and 4505 of the Revised Laws and to facilitate investigation in criminal cases ;

Was taken up with proposal of amendment from the house by striking out sections one, three and four, and amending the title so as to read : *An act to amend section 4505 of the Revised Laws ;*

And the senate refused to concur in the same.

Joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the adjutant and inspector-general of the state is hereby authorized and directed to examine all rolls and other papers now owned by A. G. Brush of Fairfax, relating to the soldiers of Vermont in the war of 1812, and if of value to the state, to purchase the same for the use of the state and place them on file in his office ; the cost of the same not to exceed three hundred dollars.*

And the auditor of accounts is hereby directed to draw an order on the treasurer for the costs of said rolls and papers upon the certificate of the adjutant and inspector-general that he has purchased said rolls and papers, the price paid, and that the same have been delivered to him :

Was read and adopted in concurrence.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 22d day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 27. An act in amendment of section 563 of the Revised Laws, relating to duties of selectmen ;

S. 133. An act to amend section 3696 of the Revised Laws ;

S. 28. An act to pay George W. Jenness the sum therein named ;

S. 130. An act to amend section one of act No. 181 of the printed laws of 1880 ;

S. 76. An act to amend No. 226 of the laws of Vermont of 1872, entitled "an act to incorporate the Winooski and Burlington Horse Railroad Company ;

S. 92. An act to amend section 2674, of the Revised Laws of Vermont, relating to bonds of town officers.

I am also further directed by the governor to return herewith without his approval, with his objections thereto in writing, senate bill No. 79, entitled

An act to provide for the study of scientific temperance in the public schools of the State of Vermont.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 55. An act changing the time of holding the supreme court in the county of Orange ;

H. 356. An act in respect to witnesses ;  
To the committee on the judiciary.

H. 496. An act relating to text-books in public schools ;  
To the committee on education.

H. 497. An act to incorporate the American Land and Loan Company ;  
To the committee on banks.

H. 499. An act to pay Lieut. Orrin S. Dorman the sum therein named ;  
To the committee on claims.

#### EXECUTIVE SESSION.

At five o'clock and thirty minutes, on motion of Mr. Baker the senate went into executive session to consider certain nominations of His Excellency, the Governor ;

Thereupon the communication nominating a board of railroad commissioners

Was taken from the table.

Whereupon Samuel E. Pingree of Hartford,  
Henry L. Clark of Castleton,  
Truman C. Fletcher of St. Johnsbury,

As named by the Governor, were confirmed by the senate as a board of railroad commissioners to hold office for the term of two years from and after the first day of December, A. D. 1886.

A further communication, nominating a state board of agriculture,  
Was taken from the table.

Whereupon W. W. Cook of Burlington,  
Henry Lane of Cornwall,  
Marvin W. Davis of Westminster,  
Daniel L. Cushing of Hartford,  
Rollin C. Smith of Pittsford,  
Henry H. Hill of Isle La Motte,

As named by the Governor, were confirmed by the senate as a state board of agriculture to hold office for the term of two years from and including the first day of December next.

On motion of Mr. Baker the executive session was dissolved and the doors of the senate were opened.

The president laid before the senate a communication from His Excellency, the Governor, in writing as follows :

TO THE PRESIDENT OF THE SENATE :

SIR: I have the honor to return to the senate, where it originated, senate bill No. 79, entitled "an act to provide for the study of scientific temperance in the public schools of the State of Vermont," without the executive approval.

It is a matter of great regret that an act, having for its purpose an object and end of great merit, and applicable to a subject of unequaled public solicitude and concern, should be so framed as to be obnoxious to well founded principles of law; but believing it to be so obnoxious, and being so advised by the best authority at hand, my course in the premises is plain and inexorable.

Passing over many minor objections that might be well taken to other parts of the bill, I confine my objections to section three.

There is no provision as to how the alleged offender is to be cited before judges, or whether the complaint shall be written or oral.

The tribunal before which the trial is to be had is not known to our system of law or our constitution. A judge of the supreme court is not of himself a court.

This section contemplates a summary hearing by a judge without ordinary process, and apparently without jurisdiction. A party alleged to have violated a statute is entitled to a jury trial, which this act denies him. There is no provision for any record of the process, the pleadings or the proceedings; there is no clerk of the court provided, but the judge is to decide the matter off-hand, construe the law according to his best judgment, without revision or right of appeal, and is to punish disobedience of his own order as in cases of contempt.

In a proceeding of contempt there is no limit upon the amount of fine or the extent of imprisonment, which a judge may impose. Proper cases for the exercise of this power are rare, and it does not naturally or properly apply to the enforcement of statutes. Such a method of administering justice might perhaps be sufficient in respect to all our laws; it would apparently be as proper in respect to other statutes as to this, but it would be decidedly novel in form and rather in accordance with oriental methods than with the principles of constitutional government.

These considerations are of especial weight in view of the fact that the first and second sections are certainly susceptible of a construction which would require the pupils of primary classes to be fur-



nished with text-books before they have mastered the alphabet ; and that these text-books should be kept in their hands, and in daily use year after year, in every grade of the school system.

As I have before said, the object of the bill is highly commendable, but I believe it is encumbered by a provision that is unconstitutional and which is certainly a violation of well recognized principles which lie at the foundation of our government.

I can but conclude that the bill as to the features and provisions to which your attention is hereby called, passed the two houses without a full understanding of them.

Therefore I return it without my approval.

EBENEZER J. ORMSBEE.

EXECUTIVE CHAMBER,  
Montpelier, November 23, 1886.

The president stated the question, shall the bill pass, notwithstanding the objections of the Executive,

And it was decided in the negative.

The yeas and nays were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Swain,	Wright—2.
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Those senators who voted in the negative are Messrs.

Bailey,	Foster,	Powell,
Baker,	Gray,	Smith,
Blake,	Hale,	Spear,
Bunker,	Hall,	Stanley,
Chapin,	Judson,	Stevens,
Clark,	Nash,	Stoddard,
Cushing,	Pierce,	Wells—22.
Fletcher,		

So the senate refused to pass the bill, notwithstanding the objections of the Governor.

Mr. Judson moved that the senate take a recess until eight o'clock in the evening ;

And the same was agreed to.

## EVENING.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Valentine from the general committee,

H. 305. An act in relation to electric light companies ;

By Mr. Clark from the committee on claims,

H. 499. An act to pay Lieutenant Orrin S. Dorman the sum therein named ;

H. 361. An act to pay Freeman F. Bean the sum therein named ;

By Mr. Blake from the committee on the judiciary,

H. 312. An act in addition to act No. 12 of the acts of 1884 ;

By Mr. Stoddard from the committee on railroads,

H. 230. An act regulating the ejection of passengers from railroad trains ;

By Mr. Valentine from the general committee,

H. 493. An act to establish true meridian lines ;

By Mr. Stanley from the special committee,

H. 498. An act in amendment of and in addition to an act entitled "an act to incorporate the town of West Rutland," approved November 19, 1886.

Thereupon the bills were severally read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to house bill entitled

H. 412. An act relating to fire district No. 1 in Readsboro ;

And have concurred therein.

The house have passed a bill entitled

H. 340. An act in addition to chapter one hundred forty of the Revised Laws, in relation to laying of highways ;

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 107. An act in amendment of section 4519 of the Revised Laws, relating to the fees of commissioners of jail delivery ;

S. 148. An act in amendment of section 1867 of the Revised Laws ;

S. 145. An act relating to fish in Lake Champlain and its tributaries ;

And have passed the same in concurrence.

On motion of Mr. Baker the secretary was directed to procure the printing of the usual number of copies of a bill entitled

S. 79. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

And the Governor's veto message accompanying the same as laid before the senate, for the use of the general assembly.

House bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage in concurrence :

By Mr. Baker from the general committee,

H. 464. An act in addition to chapter one hundred sixty-nine of the Revised Laws, relating to the suppression of nuisances ;

By Mr. Wright from the general committee,

H. 491. An act to incorporate a medical school and hospital at St. Johnsbury, Vt. ;

And the same were severally refused a third reading.

Mr. Stanley from the general committee to which was referred a house bill entitled

H. 189. An act to amend sections one and two of No. 85 of the acts of 1884 ;

Reported in favor of the passage of the bill in concurrence ;

And the same was refused a third reading.

Mr. Hale from the committee on temperance legislation to which was referred a bill entitled

S. 89. An act relating to disclosures by persons convicted of the crime of intoxication ;

Reported adversely to the passage of the bill and the same was refused a third reading.

Mr. Nash offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the secretary of state is hereby directed to compile and procure the publication of five thousand copies of the laws and acts now in force relating to the taking of fish in the waters of Vermont ;*

Such compilation to be made in convenient hand work form and distributed to applicants in this state under such regulations as the fish commissioners shall establish ;

Which was read and referred to the joint committee on game and fisheries.

Mr. Wells from the committee on banks to which was referred a house bill entitled

H. 497. An act to incorporate the American Land and Loan Company ;

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows :

First. By adding to section one the following words : *Said corporation shall be located at Rutland in the county of Rutland ;*

Second. By adding to section four, after the word "other" in line eleven, the following words : *Provided that for all liabilities incurred on account of the issue of notes or obligations as above provided, the said corporation shall deposit as collateral security with some trust company or savings bank chartered and organized under the laws of this state, notes, bonds or other evidence of indebtedness, to an amount ten per cent in excess of the total amount of such notes or obligations issued by said corporation as aforesaid ;*

Third. By striking out the words "twenty-five" in line twenty, section four, and inserting in lieu thereof the word *fifty ;*

Which proposals of amendment were agreed to.

Thereupon the bill was refused a third reading.

Mr. Fletcher from the general committee to which was referred a house bill entitled

H. 443. An act to incorporate the village of Barre ;

Reported the same back without an expression of opinion ;

Thereupon the bill was refused a third reading.

Mr. Wells from the committee on banks to which was referred a house bill entitled

H. 138. An act to incorporate the Burlington Investment and Guarantee Company ;

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows :

First. By adding to section one the following words : *Said corporation shall be located at Burlington in the county of Chittenden ;*

Second. By inserting in line twenty-one of section four, after the word "therefor," the following words : *And provided further that for all liabilities incurred on account of the issue of bonds or obligations as above provided, the said corporation shall deposit as collateral security with some trust company chartered and organized under the laws of this state, notes, bonds or other evidences of indebtedness to an amount ten per cent in excess of such bonds or obligations issued by said corporation as aforesaid ;*

Third. By striking out the words, "at least twenty-five per cent" in lines twenty-three and twenty-four of said section, and inserting in their place the word *all*;

Fourth. By inserting in the last line of section six, after the words "equal to," the word *twice*;

Which proposals of amendment were disagreed to and the bill was refused a third reading.

Mr. Stoddard moved that the senate request the house to return to the possession of the senate a house bill entitled

H. 268. An act to incorporate the S. M. Dorr Investment Company;

Which was agreed to.

A bill entitled

S. 151. An act relating to the village of Rutland and in amendment of its charter;

Was taken up, having been returned from the house with proposal of amendment by striking out all of section six after the word "list" in line seventeen.

Thereupon the above proposal of amendment was concurred in.

A bill entitled

S. 131. An act to incorporate the Howe Scale Company of 1886;

Was taken up, having been returned from the house with proposals of amendment as follows;

First. By striking out of section four, in line ten, after the word "based," the following words: "or said Howe Scale Company of 1886 may acquire by purchase or otherwise the said property, rights and interest upon such terms as may be agreed upon," and inserting in lieu thereof the following: *or said Howe Scale Company of 1886 may acquired by purchase or otherwise the said property, and all other property, rights, stock and interests of the said Howe Scale Company upon such terms and conditions as may be agreed upon and in consideration thereof may issue its full paid stock, or its bonds secured by mortgage upon the franchises and real and personal property or both*;

Second. By striking out in section four, line twenty-four, after the word "decree," the following words: "and for further security of their respective claims, said mortgages, to wit: the said Rutland Savings Bank, the said Newton Kellogg and William R. Page as trustees and all persons interested in the bonds secured under the said deed of trust. or mortgage, and the said managers in possession, shall have a lien in the order named, as of a mortgage upon the franchises, patents and good will of said former Howe Scale Company granted and confirmed to said Howe Scale Company of 1886, and the ratification and confirmation of said mortgage and decree is conditioned

upon said lien and security as aforesaid to said prior mortgages and holders of prior liens as aforesaid and the organization of a corporation under this act shall be a sufficient acceptance of the conditions aforesaid ;”

Third. By adding to section four the following words: *provided that the manufacturing business to be carried on under this charter shall be carried on at Rutland, Vermont, upon the real estate and in the manufacturing establishment described in said decree and shall not be moved therefrom to the prejudice of said persons interested in said prior mortgages and liens;*

And the senate concurred in said proposals of amendment.

Yeas, 16 ; nays, 8.

Mr. Baker having demanded the yeas and nays, they were taken, and are as follows ;

Those senators who voted in the affirmative are Messrs. .

Bailey,  
Chase,  
Clark,  
Cushing,  
Draper,  
Fletcher,

Gray,  
Hall,  
Marsh,  
Pierce,  
Powell,

Smith,  
Stanley,  
Stevens,  
Swain,  
Wright—16.

Those senators who voted in the negative are Messrs.

Baker,  
Bates,  
Foster,

Hale,  
Judson,  
Nash,

Spear,  
Stoddard—8.

So the amendments were concurred in.

Mr. Judson offered the following resolution, which was read and unanimously adopted :

WHEREAS, in the opinion of his body, the continuous kindness as a fellow man, and the impartial fairness as a presiding officer, of the Hon. Levi K. Fuller, lieutenant-governor and *ex officio* president of the senate, deserves formal acknowledgment, therefore

*Resolved*, That the thanks of the senate be hereby tendered to him and that with our thanks he receives our assurance that among the most pleasant memories of the session we shall cherish that of our president.

A house bill entitled

H. 494. An act providing for the assessment of a state tax ;

Was taken up and passed in concurrence.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to request the senate to return to the possession of the house senate bill entitled

S. 134. An act to empower the village of Barton to bring water into said village and issue bonds therefor.

The house have passed bills of the following titles :

H. 119. An act in amendment to section 4052 of the Revised Laws, relating to dogs ;

H. 392. An act relating to the salaries of the adjutant and inspector-general and the quartermaster-general ;

H. 402. An act relating to schools in North Hero ;

H. 500. An act relating to the preparation of state cases for supreme court ;

In the passage of which the concurrence of the senate is requested.

The house have considered senate bill entitled

S. 123. An act to repeal sections 2391 and 2392, relating to marriage and divorce ;

And have refused the same a third reading.

The house have considered senate bill entitled

S. 2. An act to amend section 382 of the Revised Laws, relating to collection of taxes ;

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 147. An act to amend section 3607 of the Revised Laws ;

S. 155. An act relating to the state library rooms ;

S. 156. An act to pay C. H. Pitkin and H. A. Huse the sum therein named ;

And have passed the same in concurrence.

Mr. Baker moved that the senate return to the house agreeably to their request a bill entitled

S. 134. An act to empower the village of Barton to bring water into said village and issue bonds therefor ;

And the same was agreed to.

Mr. Bunker from the committee on education reported a bill entitled

S. 157. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

Which was read the first, second and third times and passed.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 150. An act relating to the Rutland and Woodstock Railroad Company ;

S. 97. An act in amendment of section 3818 of the Revised Laws, relating to intoxicating liquor ;

S. 121. An act in relation to the division of the income of school funds ;

S. 98. An act in relation to the Bennington Battle Monument ;

S. 143. An act in amendment of No. 139 of the acts of 1884, and in addition thereto, relating to levy of execution ;

S. 125. An act in relation to the equalization of school property in towns adopting the town system of schools ;

S. 144. An act to amend section 290 of the Revised Laws, relating to commissioners and collectors of taxes in unorganized towns and gores ;

S. 29. An act to prevent the spread of contagious diseases and to establish a state board of health.

I am directed by the Governor to deliver to the senate a communication in writing.

Mr. Baker offered the following resolution :

*Resolved by the Senate and House of Representatives,* That the auditor of accounts is hereby directed to draw his orders on the treasurer of the state in favor of the assistant secretary of the senate and assistant clerks of the house for their respective mileage fees at the rates allowed other employes of the state ;

Which was read and referred to the committee on finance.

Mr. Chapin offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That it is the sense of this legislature that the board of agriculture should make the subject of rates and regulations of transportation of farm products a topic for discussion at their public meetings ;

Also, That the tax commissioner is requested to use his best efforts to ascertain whether the total annual rate of taxation now paid by banks and trust companies and corporations is equal to the total rate now levied upon land and other property, and report thereon in detail to the Governor on or before the first day of January, 1888 ; and the Governor is requested to make such report public ;

Which was read and adopted on the part of the senate.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 119. An act in amendment of section 4052 of the Revised Laws, relating to dogs ;

To the general committee.

H. 340. An act in addition to chapter one hundred forty of the Revised Laws, in relation to the laying out of highways ;

To the committee on highways and bridges.

H. 402. An act relating to schools in South Hero ;

To the committee on education.



H. 392. An act relating to the salaries of the adjutant and inspector-general and the quartermaster-general ;

H. 500. An act relating to the preparation of state cases for supreme court ;

To the committee on state and court expenses.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Baker from the committee of the judiciary,

H. 356. An act in respect to witnesses ;

H. 55. An act changing the time of holding the supreme court in the county of Orange ;

H. 203. An act in amendment of section one, No. 117, of the acts of 1884 ;

By Mr. Marsh from the committee on agriculture,

H. 324. An act to punish false or fraudulent representations in obtaining certificates of registration of cattle and other animals.

Thereupon the bills were severally read the third time and passed in concurrence.

Mr. Hall from the joint committee on game and fisheries to which was referred

Joint resolution relating to the fish laws ;

Reported adversely to the adoption of the same, and the senate refused to adopt the resolution on its part.

A bill entitled

S. 2. An act to amend section 382 of the Revised Laws, relating to the collection of taxes :

Was taken up, having been returned from the house with proposals of amendment as follows :

First. By inserting after the word "town" in section one, line three, the words, *school district or incorporated village* ;

Second. By striking out in line five, section one, the word "selectmen" and inserting in lieu thereof the words, *proper officers* ;

Third. By striking out in line five, section one, the word "hereafter" and inserting in lieu thereof the words, *for one year* ;

Fourth. By inserting after the word "towns" in line nine, section one, the words, *school districts or incorporated villages* ;

Which proposals of amendment the senate refused to concur in.

Mr. Valentine from the committee on education to which was referred a house bill entitled

H. 402. An act relating to schools in South Hero ;

Reported in favor of the passage of the bill in concurrence and the same was ordered to be read the third time, read the third time ;

Whereupon the senate refused to pass the bill in concurrence.

A bill entitled

S. 67. An act to amend section 3855 of the Revised Laws and in addition thereto ;

Was taken up, having been returned from the house with proposals of amendment as follows :

By adding to section one the following words : *And in case bail is forfeited by the respondent in prosecutions under the above sections to recover any such fines or penalties twenty dollars of such forfeited bail shall go to the prosecuting officer, and the state auditor is hereby directed to draw his order on the state treasurer in favor of such prosecuting officer for said sum of twenty dollars ;*

Which proposal of amendment was concurred in.

Mr. Swain moved that the senate reconsidered its vote refusing to concur in house proposals of amendment to a bill entitled

S. 2. An act to amend section 382 of the Revised Laws, relating to collection of taxes ;

And the same was agreed to.

Thereupon the senate concurred in said proposals of amendment.

A bill entitled

S. 152. An act repealing an act providing for statistical information relative to the rate of property taxation ;

Was taken up, read the third time and passed.

Mr. Swain offered the following resolution :

*Resolved*, That the thanks of the senate are due and are hereby tendered to Henry C. Bates for the prompt, courteous and impartial manner with which he has performed the duties of president *pro tempore* of the senate during the present session ;

Which was read and adopted.

The president addressed the senate as follows :

SENATORS :—The time for this senate to separate is near at hand ; your work is drawing to a close. The record of this senate of the legislature of 1886 is nearly written and is about to be submitted to the people for criticism, trial and final judgment. Time, that great leveler of all things, will soon pass upon your deeds. Whether ill or well done, they are now beyond recall. I bear willing testimony of your careful attention, constant watchfulness and earnest endeavor to do that which has seemed to you right and in the interest of the public at large in the enactment of good laws.

It has been a pleasure to preside over your deliberations, to watch the development of your measures and to listen to you in debate. I have given with feelings of satisfaction, that earnest attention which was your right, and with pleasure, because of the singleness of purpose that has characterized your speech. I do not recall a word spoken in temper or a thought suggested in malice. You

have been high-minded, dignified in all things, as became your high office, sustaining well the traditions of this honorable body. I am deeply sensible of your various marks of respect for the chair, for your ever willing assistance, patience, forbearance and uniform courtesy. That anxiety born of inexperience you have assisted in removing, and made pleasant and less anxious my position. For all this, and much more—and I speak from a heart welling up with gratitude—I desire to return my most sincere thanks; and not to you only, but to all—chaplain and secretaries, door-keepers, messengers and reporter. My thanks are also due to all within this capitol for uniform courtesy and kindness.

And now, as we are to separate, may heaven's blessings rest upon you, granting a safe return to your various homes, hearty welcome greeting you at the hearthstone, and a joyful thanksgiving around the family board.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows:

**MR. PRESIDENT :**

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit:

S. 147. An act to amend section 3607 of the Revised Laws;

S. 155. An act relating to the state library rooms;

S. 156. An act to pay C. H. Pitkin and H. A. Huse the sum therein named;

S. 142. An act in amendment of section one of No. 245 of the laws of 1884, entitled an act for the protection of fish in Lake Bomo- seen and Inman Pond:

S. 11. An act relating to the competency of husband and wife as witnesses;

S. 95. An act in amendment of chapter one hundred and sixty-nine of the Revised Laws, relating to the traffic in intoxicating liquor;

S. 153. An act to allow towns and school districts to aid kindergarten schools;

S. 154. An act fixing the compensation for an autopsy in state cases;

S. 140. An act to amend section 1744, Revised Laws, relating to fines and costs;

S. 146. An act relating to private corporations organized by special acts of incorporation;

S. 107. An act in amendment of section 4519 of the Revised Laws, relating to the fees of commissioners of jail delivery.

Mr. Valentine moved that the senate take a recess for fifteen minutes;

And the same was agreed to.

The recess having expired, the president resumed the chair.

Mr. Spear from the committee on highways and bridges to which was referred a house bill entitled

H. 340. An act in addition to chapter one hundred and forty of the Revised Laws, in relation to the laying of highways ;

Reported in favor of the passage of the same and the bill was read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills entitled

H. 211. An act to establish a state agricultural experiment station ;

H. 409. An act to incorporate the East Side Sewer Association of Brandon, Vermont ;

H. 490. An act in amendment of No. 11 of the acts of 1884, relating to highways and bridges ;

And have severally concurred therein.

The house have on their part adopted a joint resolution relating to per diem and mileage of the night watchman :

In the adoption of which the concurrence of the house is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 478. An act to incorporate the village of Poultney ;

H. 92. An act providing for the construction of a jail, keeper's dwelling and barn in the county of Chittenden ;

H. 436. An act to incorporate the Springfield Water Supply Company ;

H. 310. An act to incorporate the Morrisville Aqueduct Company ;

H. 422. An act to improve the militia of the state ;

H. 336. An act to incorporate the Ayrshire Breeders' Association ;

H. 486. An act to incorporate the Bennington Water Company ;

H. 233. An act relating to the protection of fish ;

H. 272. An act to incorporate the Barre Water Company ;

H. 332. An act in addition to chapter one hundred forty, Revised Laws ;

H. 391. An act relating to trust institutions ;

H. 454. An act to prevent accidents in the highway ;

H. 485. An act in amendment of section 3418 of the Revised Laws, relating to railroad bridges ;

H. 407. An act to amend section 3276 of the Revised Laws ;

Also

Joint resolution relating to pay of secretary of the senate, clerk of the house and others.

The house have considered senate bill entitled

S. 32. An act to exempt certain property from taxation ;

And have refused the same a third reading.

The house have considered its proposals of amendment to senate bill entitled

S. 141. An act to amend sections 4503 and 4505 of the Revised Laws, and to facilitate investigation in criminal cases ;

And have voted to adhere thereto.

Mr. Blake offered the following resolution, which was read and adopted :

*Resolved*, That the thanks of the senate be, and they hereby are, tendered to the secretary, assistant secretary, reporter, door-keeper, assistant door-keeper and messengers of this body for the faithful and efficient service they have rendered in their respective positions, and that they each be hereby assured that the senate appreciates their prompt and cheerful discharge of every duty.

Mr. Smith moved that the senate request the house to return to the possession of the senate a house bill entitled

H. 491. An act to incorporate a medical school and hospital at St. Johnsbury, Vermont ;

And the same was disagreed to.

Mr. Foster offered the following resolution, which was read and adopted :

*Resolved*, That the cordial thanks of the senate are hereby tendered to Rev. T. P. Frost for the earnest and faithful manner in which he has discharged the duties of chaplain.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives*, That the night watchman employed by the sergeant-at-arms receive the sum of three dollars per day for his services during the present session of the general assembly, and mileage at the same rate allowed other state employes ;

Was read and referred to the committee on state and court expenses.

House bills of the following titles were severally reported from the various committees to which they were referred, without an expression of opinion :

Thereupon the bills were severally refused a third reading.

H. 119. An act in amendment of section 4052 of the Revised Laws, relating to dogs ;

By Mr. Baker from the committee on the judiciary,

H. 321. An act to protect the inhabitants of the state against the destruction of life and property by dynamite or other dangerous explosives.

Mr. Judson from the committee on state and court expenses to which was referred a house bill entitled

H. 392. An act relating to the salaries of the adjutant and inspector-general and the quartermaster-general ;

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was refused a third reading.

Yeas, 9 ; nays, 16.

Mr. Wright having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,	Draper,	Smith,
Bunker,	Judson,	Valentine,
Cushing,	Marsh,	Wells,—9.

Those senators who voted in the negative are Messrs.

Bailey,	Hale,	Spear,
Chapin,	Hall,	Stanley,
Chase,	Nash,	Stoddard,
Clark,	Pierce,	Swain,
Fletcher,	Powell,	Wright—16.
Gray,		

So the bill was refused a third reading.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to return to the senate, agreeably to their request, house bill entitled

H. 268. An act to incorporate the S. M. Dorr Investment Company.

The house have considered senate bill entitled

S. 134. An act to empower the village of Barton to bring water into said village and issue bonds therefor ;

And have passed the same in concurrence with proposals of amendment ;

In the adoption of which the concurrence of the senate is requested.

A house bill entitled

H. 268. An act to incorporate the S. M. Dorr Investment Company ;

Was taken up, having been returned from the house, agreeably to the request of the senate.

Mr. Baker moved that the bill be returned to the house ;

And the same was agreed to.

Mr. Valentine from the committee on education to which was referred a house bill entitled

H. 496. An act relating to text-books in public schools ;

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was ordered to be read the third time, read the third time and on motion of Mr. Spear ordered to lie.

Mr. Cushing moved that the senate reconsider its vote ordering returned to the house a house bill entitled

H. 268. An act to incorporate the S. M. Dorr Investment Company ;

And the same was agreed to.

Mr. Smith moved that the senate reconsider its vote passing the bill in concurrence ;

Which was agreed to.

The question being shall the bill pass in concurrence, it was determined in the negative.

Mr. Bates from the committee on state and court expenses to which was referred a house bill entitled

H. 500. An act relating to the preparation of state cases for supreme court ;

Reported adversely to the passage of the bill in concurrence.

Thereupon the bill was refused a third reading.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 148. An act in amendment of section 1867 of the Revised Laws ;

S. 111. An act to authorize the Tuttle Company to republish certain Vermont Reports ;

S. 135. An act in addition to act No. 48 of the acts of 1884, relating to the insane and to repeal section 2907 of the Revised Laws ;

S. 145. An act relating to fish in Lake Champlain and its tributaries.

S. 151. An act relating to the village of Rutland and in amendment of its charter.

A bill entitled

S. 134. An act to empower the village of Barton to bring water into said village and issue bonds therefor;

Was taken up, having been returned from the house with proposals of amendment as follows:

First. By inserting in line one of section four, after the word "village" and before the word "is," the words, *by a majority vote in a meeting legally warned for that purpose*;

Second. By adding to the last section the words, *but shall be subject to alteration or amendment by future legislatures*;

Which proposals of amendment were concurred in.

Mr. Bates from the committee on state and court expenses to which was referred a joint from the house relating to the pay of night watchman,

Reported adversely to its adoption.

Thereupon the senate adopted the resolution in concurrence.

Mr. Foster from the committee on finance to which was referred joint resolution relating to mileage of assistant secretary of the senate and assistant clerks of the house,

Reported adversely to its adoption.

Whereupon the senate refused to adopt the resolution.

At one o'clock and thirty minutes on motion of Mr. Baker the senate went into executive session,

And the president laid before the senate the following communication from His Excellency, the Governor:

#### STATE OF VERMONT.

EXECUTIVE CHAMBER,  
MONTPELIER, November 23, 1886. }

*To the President of the Senate:*

SIR:—I have the honor to nominate, for the consideration and action of the senate,

Charles L. Allen of Rutland,  
Alwin H. Cheshire of Huntington,  
Jamin H. Hamilton of Richford,

to be a state board of health to hold office as follows, viz: the first for six years, the second for four years and the third for two years, respectively, from and including the first day of December, A. D. 1886.

EBENEZER J. ORMSBEE.

Which was read.



Thereupon on motion of Mr. Baker, under a suspension of rules, the above named persons were confirmed by the senate as a state board of health.

On motion of Mr. Baker the executive session was dissolved and the doors of the senate were opened.

Mr. Bailey moved that the senate take a recess for fifteen minutes ;  
And the same was agreed to.

The recess having expired the president resumed the chair.

A house bill entitled

H. 496. An act relating to text-books in public schools ;  
Was taken up and passed in concurrence.

Mr. Smith moved that the senate request the house to return to the possession of the senate a house bill entitled

H. 443. An act to incorporate the village of Barre ;  
And the same was agreed to.

A message was received from the house of representatives by Mr. Dana, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate bills of the following titles :

S. 8. An act in amendment of chapter twenty-two of the Revised Laws, relating to taxation ;

S. 132. An act to incorporate the Rutland Manufacturing Company ;

And have refused the same a third reading.

The house have on their part adopted a joint resolution relating to the printing of joint resolution respecting American industries ;

In the adoption of which the concurrence of the senate is requested.

The house have considered a joint resolution from the senate relating to the board of agriculture ;

And have refused to adopt the same in concurrence.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 426. An act in addition to section 3154 of the Revised Laws, relating to turnpikes ;

H. 385. An act to amend an act relating to the registration of births, deaths and marriages ;

H. 495. An act making provision for the support of government ;

H. 442. An act in amendment of an act entitled an act relating to insurance companies, approved November 25, 1884 ;

- H. 312. An act in addition to act No. 12 of the acts of 1884 ;
- H. 305. An act in relation to electric light companies ;
- H. 498. An act in amendment of and in addition to an act entitled an act to incorporate the town of West Rutland, approved November 19, 1886 ;
- H. 499. An act to pay Lieutenant Orrin S. Dorman the sum therein named ;
- Also
- Joint resolution relating to the purchase by the state of certain rolls and other papers relating to the soldiers of the war of 1812 now owned by A. G. Brush ;
- Also
- H. 230. An act regulating the ejection of passengers from railroad trains ;
- H. 490. An act in amendment of No. 11 of the acts of 1884, relating to highways and bridges ;
- H. 409. An act to incorporate the East Side Sewer Association of Brandon, Vermont ;
- H. 493. An act to establish true meridian lines ;
- H. 211. An act to establish a state agricultural experiment station ;
- H. 361. An act to pay Freeman F. Bean the sum therein named ;
- H. 430. An act to amend section No. 670 of the Revised Laws ;
- H. 1. An act to repeal chapter one hundred thirty-five of the Revised Laws, and to amend other various other sections ;
- H. 82. An act to amend section 605 of Revised Laws, in relation to the town system of schools ;
- H. 420. An act amending section 3955 of the Revised Laws ;
- H. 412. An act relating to fire district No. 1 in Readsboro ;
- H. 55. An act changing the time of holding the supreme court in the county of Orange ;
- H. 203. An act in amendment of section one of No. 117 of the acts of 1884 ;
- H. 324. An act to punish false and fraudulent representations in obtaining certificates of registration of cattle and other animals ;
- H. 356. An act in respect to witnesses ;
- H. 494. An act providing for an assessment of a state tax ;
- H. 276. An act to legalize the grand list and quadrennial appraisal of the town of Topsham for the year of 1886 ;
- H. 269. An act to legalize the grand list, including the quadrennial appraisal, of the town of Barton for the year of 1886 ;
- H. 198. An act to incorporate the village of Bristol ;

H. 255. An act to pay Eliza V. Guernsey the sum therein named ;

H. 487. An act to provide for the erection of a monument to the memory of General Stannard ;

Also

Joint resolution relating to the pay of the clerk of the committee on revision of bills.

The house have considered senate bill entitled

S. 152. An act repealing an act providing for statistical information relative to the rate of property taxation ;

And have refused the same a third reading.

The house have considered senate bill entitled

S. 157. An act to provide for the study of scientific temperance in the public schools of the State of Vermont ;

And have passed the same in concurrence.

I am directed to return to the possession of the senate, agreeably to their request, house bill entitled

H. 443. An act to incorporate the village of Barre.

A house bill entitled

H. 443. An act to incorporate the village of Barre ;

Was taken up, having been returned from the house, and on motion of Mr. Smith the senate reconsidered its vote refusing the bill a third reading.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Clark in the chair.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the commissioners of state printing are directed to procure the printing of five hundred copies of the joint resolution respecting the protection of American industries, adopted during the session of the general assembly, for general distribution ;

Was read and adopted in concurrence.

Mr. Bates offered the following resolution, which was read and adopted :

*Resolved,* That the president of the senate appoint a committee of two to wait upon the Governor and inform him that the senate on its part has completed the business of the session.

The president appointed as the committee to wait upon the Governor under the foregoing resolution

Senator Bates,  
Wells.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

**MR. PRESIDENT :**

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 131. An act to incorporate the Howe Scale Company of 1886 ;

S. 67. An act to amend-section 3855 of the Revised Laws and in addition thereto ;

S. 2. An act to amend section 382 of the Revised Laws, relating to collection of taxes ;

S. 134. An act to empower the village of Barton to bring water into said village and issue bonds therefor ;

S. 157. An act to provide for the study of scientific temperance in the public schools of the State of Vermont.

Mr. Stoddard offered the following resolution, which was read and adopted :

*Resolved*, That the secretary be directed to inform the house of representatives that the senate on its part has completed the business of the session.

Mr. Bates, from the committee appointed to notify the Governor that the senate had on its part completed the business of the session and was ready to adjourn without day,

Reported that the committee had performed the duty assigned them and that the Governor would communicate to the senate through the secretary of civil and military affairs.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have on their part completed the business of the session, and are ready to adjourn without day.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

**MR. PRESIDENT :**

I am directed by the Governor to inform the senate that he has received their communication that they have, on their part, completed the business of the session, and that he has now no further communication to make.

Mr. Wells moved that the senate take a recess until seven o'clock and forty minutes ;

Which was agreed to.

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At the expiration of the recess the president resumed the chair ;

And at eight o'clock in the forenoon (Wednesday, November 24, 1886), the president of the senate, agreeably to a joint resolution of the two houses, declared the senate adjourned without day.

Attest,

C. W. BROWNELL, JR.,

*Secretary of the Senate.*

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STATE OF VERMONT.

OFFICE OF THE SECRETARY OF THE SENATE, }  
MONTPELIER, November 24th, 1886. }

I hereby certify that the foregoing journal is a correct record of the proceedings of the senate of the State of Vermont for the biennial session, A. D. one thousand eight hundred eighty-six.

C. W. BROWNELL, JR.,

*Secretary of the Senate.*



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JOURNAL  
OF THE  
JOINT ASSEMBLY

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BIENNIAL SESSION, 1886.

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# Journal of the Joint Assembly.

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IN JOINT ASSEMBLY, }  
October 7, 1886, 11 A. M. }

The senate and house of representatives met in the hall of the house of representatives, in pursuance of a joint resolution which was read by the clerk and is as follows :

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 7, at eleven o'clock, A. M., to receive the message of the retiring Governor.*

His Honor, EBENEZER J. ORMSBEE, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

Mr. Poland of Waterville moved that a committee, consisting of one senator and two representatives, be appointed to wait upon His Excellency, the Governor, and inform him that the two houses are convened in joint assembly and are ready to receive any communication he may be pleased to make ;

Which motion was agreed to, and

Thereupon the chair appointed Senator Swain of Windham county, Mr. Poland of Waterville and Mr. Hazelton of Burlington, as such committee.

The committee subsequently appeared within the bar of the joint assembly, accompanied by His Excellency, the Governor, who submitted the following

## MESSAGE.

### GENTLEMEN OF THE GENERAL ASSEMBLY :

The last two years have been most auspicious in the history of our state. Without the burden of any public debt to provide for, our people have been able to meet their obligations for the current support of the government, in the manner prescribed by law, without distress or substantial inconvenience.

Indeed, I believe no commonwealth can be named whose citizens feel lightlier the touch of taxation than ours.

The products of the soil have been abundant to an unwonted degree, and the field and pastures which had been damaged for years by recurring drouths, have been restored by the frequent rains of the last two seasons.

The great industry of agriculture upon which the prosperity of the state so pre-eminently rests presents promise of fairer returns to the husbandman than for some years before your last assembling.

The quarries of marble and slate and granite yield more abundantly than before to the wealth of the state, while skilled and unskilled labor alike command fair remuneration.

Although in many of the states of the Union tumult, disorder and riot have at times prevailed, paralyzing great business industries for a season and destroying property and life, no such calamities have invaded our borders or disturbed the peace and happiness of our people.

Amid such general prosperity and cause of thankfulness to God for his favoring care over our state, I am pleased to follow the commendable example of our last executives and submit to you a brief message upon the conditions and needs of her varied interests and institutions, and a history of my performance of the executive trusts.

#### EXECUTIVE APPOINTMENTS.

The list and dates of these appointments, both statutory, and non-statutory, will be found in the appendix.

#### STATE BENEFICIARIES.

Until the act (No. 39) of the last session there was no law whereby any of the unfortunate wards of the state could be instructed at the public expense within the state.

By that act the designation of beneficiaries for home instruction was authorized for the blind upon the same terms as provided by existing law for their education at the Perkins Institution for the Blind at Boston, Mass.

Under this law but one application and designation has been made.

Every application for state aid for these unfortunate youth has received attention, and in every case, the required bond being given and conditions of admission complied with, the designation has been made.

It has been the humane policy of the state to have ample provisions for the education of its deaf mutes, blind and feeble-minded, for some sixty-five years past.

There is, and, I believe, generally has been, a large margin of unused appropriation in each class, while I doubt not every proper applicant has been admitted to the benefits of the law to the fullest reasonable limit.

I have visited the Clarke Institution for Deaf Mutes at Northampton, and the Perkins Institution for the Blind at South Boston, Massachusetts, during my official term, have met our beneficiaries and

their teachers there and learned of their progress in instruction; and it is cause of gratification and pride that our state so fully admits and provides for the claims of every one of its children to share in the common blessings of education, despite the loss or impairment of certain senses.

The statistical and financial report under this head is as follows, viz :

American Asylum for the Deaf and Dumb, Hartford, Conn.

Year ending September, 1885.	Number of pupils,	13.	
	Expense.....		\$2,308.45
Year ending September, 1886.	Number of pupils,	14.	
	Expense.....		2,475.14
Total.....			\$4,783.59

Clarke Institution for Deaf Mutes, Northampton, Mass.

Year ending September, 1885.	Number of pupils,	4.	
	Expense.....		\$807.89
Year ending September, 1886.	Number of pupils,	5.	
	Expense.....		843.29
Total.....			\$1,651.18

Perkins Institution for the Blind, Boston, Mass.

Year ending, October, 1885.	Number of pupils,	7.	
	Expense.....		\$2,108.85
Year ending, October, 1886.	Number of pupils,	7.	
	Expense.....		2,104.40
Total.....			\$4,213.25

Massachusetts School for the Feeble-minded, Boston, Mass.

Year ending October, 1885.	Number of pupils,	1.	
	Expense.....		\$3.00
Year ending October, 1886.	Number of pupils,	2.	
	Expense.....		510.71
Total.....			\$810.71

Blind instructed within this state pursuant to act No. 39, laws of 1884.

Miss Seba Briggs, Rutland, 1884-6.....	\$600
Grand total expense of all beneficiaries, 1884-6..	\$12,058.73

EDUCATION.

From the careful statistical work presented in the report of the superintendent of education I here reproduce for more general notice the following showing of the whole number of enrolled schol-

ars in the public schools of the state with the average daily attendance since and including 1877.

1877....69,708	Average daily attendance.....	45,318
1878....71,366	“ “ “	48,638
1879....74,269	“ “ “	49,214
1880....73,952	“ “ “	48,606
1881....72,730	“ “ “	49,700
1882....73,068	“ “ “	47,772
1883....72,155	“ “ “	46,112
1884....72,744	“ “ “	47,607
1885....71,659	“ “ “	49,031
1886....71,667	“ “ “	46,625

It will be noted that while probably twenty per cent of the children of school age are not enrolled in the public schools, but from sixty-three to sixty-five per cent of those enrolled are constant attendants upon school.

Our revenue for common school purposes for the year 1885-6 was \$621,370.29. It is not this large sum of money annually devoted to this object that gives it its chief importance.

Our great concern is or should be to see that it is well expended and for the best good of all our youth. That such is not the case now all statistics clearly demonstrate and all men admit. There is every natural reason why the standard common school education among the young of this state should be far above that of most of our sister states of the North and West. The homogenousness of our people invites it. The annual expenditure warrants it. It is the birth-right of every child to share evenly with his fellows in this outlay.

The public is pledged to the care of the morals and the mind of every child alike at its birth.

There is no trust which the general law executes so inequitably and inadequately as that relating to the education of the young.

The law of the last general assembly submitting the question of the adoption of the town system of schools to a vote of the people at the annual town meetings in 1885 and 1886 was acted on by most of the towns, while several did not vote upon it. Sixteen towns, only, voted to adopt the town system; all others which voted on the question voted against it; seventeen towns had previously adopted the same, and the town of Norton organized with it, so that we have thirty-four towns in the state, in which this system is in operation.

The general inaction of the voters of the state upon this vital school question refers it back to the representative wisdom of the general assembly. The proportion of the voters who gave their voice on this question stands related to their vote for Governor very closely as 1 to 3.

That something should be accomplished at this session to improve our methods in the bestowal of these moneys and in the more equal diffusion of education among our children through the schools

seems almost a necessity. What it should be your wisdom will rightly determine.

#### BOARD OF AGRICULTURE.

The work of this board has been devoted mainly to the holding of institutes throughout the counties of the state in connection with the various industrial, dairymen's and other agricultural associations, and in lecturing upon, and discussing with the practical farmers of the state, all subjects of agricultural interest.

These meetings have grown in interest from year to year. In the winter of 1885-6 sixty-four meetings were held—generally of two days each. Over nine hundred addresses have been given and much general discussion has followed.

Professor Cook of the state agricultural college—joining the board at the expense of the college to lecture upon fertilizers and agricultural chemistry—has been of great service to this interest.

It has been my privilege to attend a few of these meetings and I have been impressed with the zeal, practical learning and advanced views of the gentlemen of the board upon the specialties assigned them for discussion, as well as with the interest enkindled by their presence among the many farmers who join them in their valuable work.

A larger edition of the report of the board should be provided for and a more general distribution had. The question treated of in this report having special reference to the products and soils of our latitude and longitude, their discussion here gives the reports a local value not to be found in general treatise on kindred subjects.

The law relating to the analyses of fertilizers or the provisions for defraying the expense of the same is inadequate to the end sought to be attained. The results of analyses do not get to the knowledge of the farmers of the state in season for their spring purchase of fertilizers. This delay has been the cause of much complaint. The sum appropriated to defray the expense of these analyses should be reasonable and the constituent parts and percentages of each should be officially announced through the press by a day fixed by law before the approach of spring.

Cognate to this subject I call your attention to the law relating to the infectious diseases of cattle. In the winter of 1884-5 a destructive cattle disease broke out in a herd in Cambridge, carrying off a dozen or more of the herd in a few days. I was applied to by the local authorities to appoint and send thither at once a board of cattle commissioners in the interest of the public safety. Satisfied that adequate authority was vested by law in the selectmen to make and enforce regulations to prevent the spread of infectious or contagious diseases among cattle even to the extent of ordering and enforcing quarantine, I declined to organize a board of cattle commissioners but as an equally hopeful and less expensive precaution I requested the secretary of the board of agriculture, Dr. Cutting, to go to Cambridge and make careful examination of the nature and

habits of the disease and recommend or take such measures as the public safety might demand to prevent its spreading; which he did.

There seemed to be no such exigency as would call for a commission under the law and none was appointed.

Dr. Cutting's report is one of so general interest to dairymen and stock raisers that I have directed it to be printed and it will be duly transmitted to you in the report of the board of agriculture.

Reports of other cattle diseases have come to hand, but, upon reference to the existing law, the local boards have proved equal to their suppression.

#### FORESTRY.

A joint resolution of the general assembly of 1882 directed the appointment of a commission "to inquire into the subject of the forests of Vermont, as to their extent and condition, and what if any, measures should be taken in respect to their protection."

The commission, consisting of Redfield Proctor, Frederick Billings and Edward J. Phelps, reported at the last session, recommending legislative action in several important particulars.

An act was passed at that session to encourage the planting of shade trees upon public squares and highways, authorizing one per cent of the grand list of towns to be voted for premiums to the owners of lands who should plant their public margins with trees. I am not aware that this statute has been availed of by any town.

This is the extent of direct legislation in the history of our state upon this important subject.

Noting as I have for several years past the progressive trending of the most enterprising states of our country in the East and West, in their economic and systematic encouragement of tree planting as an important branch of agriculture, to enhance the value and beauty of the farm, the village and the town, I invited the general observance of an Arbor Day on May 1st, 1885, recommending the same, not as a legal holiday, but as a day for the general, spontaneous and voluntary contributions of the people, municipal and religious corporations, societies for town and village improvement, agricultural associations and schools towards the adornment of the streets, the roadsides, parks, public buildings, homes and waste places.

The systematic observance of the day was gratifying beyond expectation. Thousand of shade trees were set in many towns while few, if any, responded with regrets. The proclamation was renewed this year and the results, as in the other states, indicate that the sentiment of the people calls for the establishment of another legal holiday in our calendar, discretionary with the executive or absolutely by law.

#### HIGHWAY LAW.

The law of the last session placing the repairing of highways and bridges under the direction of the selectmen, or street commissioners, or such officers or agents as the towns respectively may direct, has proved a most satisfactory law in its operation.

The last clause of the first section, however, has been the cause of much confusion in many towns, the same presenting an apparent inconsistency with the spirit and purpose of the entire act, which evidently was intended to do away the highway district system, abolish the labor tax practice and place the highways under town control with a money tax only to maintain them.

Not a few towns have elected highway surveyors with a view to proceed under the old law, while this act expressly repeals the sections directing the duties and methods of such officials.

The law seems right and politic in principle and most salutary in its operation.

I have received so many communications from town officials and others, asking the meaning of the clause referred to, that I deem it my duty to invite your attention to it.

#### ELECTION LAWS, ETC.

Under the act of the last session for the compilation of the election and naturalization laws, I appointed George W. Wales, Esq., commissioner in November, 1884, and in January, 1885, his report and work were completed and the compilation duly distributed.

I commend it to your consideration and to the use of the boards of selectmen, civil authority, and to the public as a compilation of painstaking completeness, and, especially under the new check-list laws, as invaluable.

#### THE NEW ORLEANS EXPOSITION.

The report of the commissioner is not yet published.

"Forthwith upon the passage of the act" appropriating \$5,000 for the purpose of defraying the expense of exhibiting the resources of the state, etc., at this exposition, I appointed John B. Mead of Randolph, commissioner, and William P. Fairbanks of St. Johnsbury and Alvin B. Franklin of Newfane as my associates of the executive committee, in accordance with the act.

This committee allotted and directed the proportionate part of the appropriation under the act, less the expenses and services of the commissioner, which should be devoted to properly exhibiting the resources of the state between the various mineral, agricultural and manufacturing interests,—directing, also, that the same substantial ratio be observed in the application of such funds as might be passed to the commissioner from the management at New Orleans for the benefit of the state.

The general summary of the commissioner's report (not yet published) with statement of receipts and disbursements will be found in appendix.

I have, in common with the other members of the executive committee, watched the operations of this World's Exposition at New Orleans through its financial difficulties and its inadequate manage-

ment, until the final transfer of its property and good will to a new corporation. And while, in a financial sense, it has proved a failure, yet as an interstate and international exhibition of the agricultural, manufacturing and mining productions of the day it has been productive of much substantial benefit to these interests throughout our country. The tact and energy of Commissioner Mead, through the financial crisis of the management of the exposition, in protecting the interests of the state and in securing in a large degree the performance of the obligations in its favor, have satisfied the committee that the trust of such unexpected delicacy was placed in the right hands.

I believe much interest and substantial benefit to the people of the state will come through the publication of the commissioner's report, and I suggest in the interest of the public that the legislature direct the publication and manner of distribution of the same.

#### ORLEANS COUNTY SHIRE.

Pursuant to the act of last session for changing the shire of Orleans county, I appointed Dudley C. Denison of Royalton, Lyman W. Redington of Rutland, and George F. Davis of Cavendish, a committee to examine and select the best location on the line of the Connecticut and Passumpsic Rivers Railroad for the court house and other county buildings for said county.

These gentlemen forthwith entered upon the duties of their commission and made report, selecting the village of Newport as the best location for said buildings and fixing the location there.

I thereupon certified to the judges of Orleans county court of said location, who proceeded to purchase grounds and erect said buildings. All were completed and accepted within the period contemplated by the act, and the courts of that county have since been held at Newport.

These buildings are commodious and substantial and were built with remarkable economy,—the whole cost of the grounds, court house and jail being but \$22,000, of which \$16,000 was paid by a tax on the county, pursuant to the act, and the balance by private parties.

#### FINANCES.

The biennial reports of the auditor of accounts, state treasurer and inspector of finance are before you. These officers have an intimate and particular knowledge of thier respective departments, and their reports exhibit in detail the present status, as well as the itemized statement of the important financial trust affairs of the state.

The suggestions and recommendations contained in these reports, coming as they do from officers well equipped with a knowledge of the subjects whereof they speak, are intended for and entitled to your candid consideration.

From the report of the auditor we find the sum of the orders issued from his office for the biennial term to be \$639,102.91—the



details of which are clearly set forth in his report already in your hands.

The report of the treasurer presents an itemized exhibit of the financial affairs of the government for each of the last two fiscal years. From this report we find that at the close of the fiscal year, July 31st last, the state liabilities were as follows, to wit:—

Due Towns, U. S. Surplus Fund.....	\$13,397.62
Due Soldiers, Unpaid Balances.....	8,557.46
Due Agricultural College Fund (represented by State bonds, falling due June 1st, 1890, interest payable semi-annually) .....	135,500.00
Balance due of Appropriation for State Library Building	22,706.55
Balance due for Construction of North Hero and Alburgh Bridge under Appropriation of 1884.....	19,062.50
	<hr/>
Total.....	\$199,224.13

And the resources are:—

Cash on hand and in Banks.....	\$160,974.97
Estimated Amount Tax from Corporation for 1886.....	200,000.00
Estimated Proceeds from sale of balance of Huntington Fund Securities.....	15,000.00
	<hr/>
Total.....	\$375,974.97

The following named items in this statement of state liabilities, which are not regarded as subject to present (though to possibly future) call, and for which no present provisions need be made, are the U. S. Surplus Fund..... \$13,397.62  
Unpaid Balances due Soldiers..... 8,557.46  
Agricultural College Fund..... 135,500.00

Which sums being deducted from the general amount of liabilities leaves the same subject to be paid presently..... 41,769.05  
Showing an excess of available resources for the present year over liabilities of..... 334,205.92

A more satisfactory exhibit of a state's financial standing can hardly be desired.

From the report of the inspector of finance it appears that the whole number of depositors in the savings banks and trust companies of the state June 30th last was 49,453, an increase during the year then ending of 2,675, being 3,616 more than there were two years ago.

There stood credited to the depositors at the same date \$14,253,963.47—showing an increase in the amount of deposits during the past year of \$554,731.84.

The average amount to the credit of each depositor shows a decrease of \$4.63 as compared with 1885.

The recent act taxing depositors in excess of \$1,500 has from its passage caused a steady reduction in the number of heavy depositors and yet the actual number of depositors has steadily increased.

This increase in the first three years after the passage of the act was 4,195.

The principle that savings banks were organized for the purpose of protecting those having small savings to deposit rather than to furnish a depository for persons of wealth finds encouragement in the act referred to.

The suggestions of the present inspector of finance looking towards a healthier conservatism in the management of these institutions deserve, and doubtless will receive, the thoughtful attention of the legislature.

The tables supplementing the detailed reports of the various banks, showing a summary of the different classes of assets and liabilities and comparing their present condition with that in former years, will be found of interest to those concerned in the savings banks and trust companies of the state.

I commend them to your attention as a valuable summarizing of their historical financial condition for the periods which they cover.

The report of the commissioner of state taxes has not at this writing come to my hands and I therefore leave the same to be treated of by my successor.

I desire to state, however, that it appears from the treasurer's report that the corporations which are subject to taxation under the corporation tax law have paid into the state treasury \$403,628.58 during the last biennial period.

#### RAILROAD COMMISSIONER.

The report of the railroad commissioner is before you, embracing such detailed reports as have been made by the railroad corporations therein named.

From this report as well as from reports of his predecessor, it becomes manifest to me, that under the existing laws bearing upon this matter the commissioner is not clothed with authority adequate to attain the purposes for which this office was created.

To the suggestions and recommendations made by the commissioner for further legal provisions to the end that this office may be of practical use to the public, your attention is invited.

#### THE NATIONAL GUARDS.

The organized military strength of the state remains unchanged in its composition except that Company E of the regiment has been mustered out by reason of expiration of term of service and the vacancy has been supplied by the organization and mustering in of a company at Barre.

I have attended the general musters of the troops at St. Albans and Burlington, and also the officer's drill at Rutland. To the official communications and correspondence of this department, as well as to a proper knowledge of its condition and value as a reliance in the day of possible need, I have given careful attention throughout my official term, and have on several occasions in the last ten years witnessed and proudly noted the bearing of our state guards as they have been on duty in competition with the troops of other states. In soldierly qualities of both officers and men I believe they stand first, or among the first, everywhere.

As an evidence of the zeal of these young men in this service of the state, it is well to note that at the general muster six companies had every man on duty, and 97.45 per cent of the whole command were out.

They have no lack of good equipment except in arms. The rifle as well as the guns of the battery are out of date, and are such as have generally been discarded and replaced by arms of modern pattern in other states.

I believe that the regulation arm could be placed in their hands by properly directed effort on your part without large expense to the state.

The reports of the adjutant and inspector-general and the quartermaster-general with accompanying reports, have already been transmitted.

#### THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

This institution has attained a degree of prosperity and good equipment in the last few years beyond that of any former period of its history.

Though originally intended as an institution of learning under the patronage and fostering care of the state, yet unlike other universities it has been left to rely mainly upon its own persistent efforts and the liberal generosity of its alumni and friends for the founding of scholarships, the erection of its commodious and tasteful buildings and the furnishing of its choice library collections.

The new library building erected at a cost of \$115,000—the gift of Hon. Frederick Billings, an alumnus of the college—has been completed and opened, together with its invaluable library collection, also the gift of Mr. Billings to the university of his state.

Since the last session of the general assembly, the president of the college, who is *ex officio* a member of the board of agriculture, and Professor Cook, the state chemist, have been of much service to the farming interests of the state, under the auspices of the board.

In connection with the agricultural colleges of many states experiment stations have been ordered by the legislative authority. Some measures in this important auxiliary to scientific crop-raising may be invited at this session.

## INSANE.

By invitation I met the honorable board of supervisors of the insane at the asylum at their October visit in 1885.

Pursuant to the amendatory acts of 1882 and 1884, several most economical and salutary regulations have been introduced by the board with the co-operation of the officers of the institution relating to the state and town beneficiaries in this asylum and elsewhere in the state.

I believe this class of our unfortunates enjoy as complete and humane care and supervision at the hands of the state or the asylum as any that can be found in similar institutions in our neighboring states.

## The number of inmates in the asylum

August 1st, 1884, was.....	437
August 1st, 1886.....	450
Admitted during the biennial term.....	184
Discharged during the biennial term.....	171
Wholly supported by the state.....	132
Supported by towns (with \$1.25 per week each, by state) ..	189
Private patients.....	129

Of those now in the asylum ninety per cent are regarded probably incurables.

The report of the board of supervisors will be duly transmitted to the general assembly. It is a document of grave and unusual interest to the people of the state. I especially commend its painstaking and elaborate historical review and suggestions to the legislature and the citizens of the state. The efforts of the board to correct certain evils of long standing, and which have grown up under imperfect laws, have been a success, though no perfunctory task.

## PENAL AND REFORMATORY INSTITUTIONS.

The reports of the directors and superintendents for the state prison and house of correction and of the trustees of the reform school show that these institutions have been conducted in a manner as satisfactory as any similar institutions in the country.

The expenditures in their maintenance have been only ordinary and the ends for which they are severally instituted have been fairly well attained.

The retirement of Mr. and Mr. Fairbank from their long and invaluable services in the government of the reform school creates a vacancy that will be difficult to supply. Their stewardship there has been characterized throughout by a humane and parental care and oversight which has tended to promote the highest degree of reformatory influence over the youth in their charge. The best wishes of our people will follow them to their new theater of beneficent work.

I have visited each of these institutions at least twice, generally with the directors and trustees.

The following data are presented as indicating the relative number of inmates in these institutions from and including 1882:

	1882	1884	1886
State Prison.....	90	89	88
House of Correction.....	45	61	72
Reform School.....	86	84	83

The net ordinary expenses of these institutions for the same period are as follows:

	1882	1884	1886
State Prison.....	\$21,632.65	\$17,461.90	\$11,908.50
House of Correction..	19,193.15	16,791.09	19,510.24
Reform School.....	25,764.42	22,589.64	24,201.36

All public institutions should be kept in the condition the best of their kind, at all times, in the interest of state credit and economy. This cannot be attained without occasional resort to specific appropriations.

The needs of this come to us most reliably through the reports of the directors, trustees and superintendents of these institutions, though they are sometimes obvious to any observer.

The worn out wooden stairs and walks around the cells of the main prison at Windsor should be replaced. In the interests of safety from fire, of permanence and cleanliness, they should be replaced by iron stairs and walks. This would seem in the end to be economical as well.

#### BENNINGTON BATTLE MONUMENT.

It is now ten years since the subject of erecting a battle monument at Bennington became a matter of general interest throughout the state.

In 1876 the association for the purpose was chartered and organized. Liberal appropriation toward the enterprise was made by the legislatures of Vermont, New Hampshire and Massachusetts and soon after by congress.

The appropriation of \$7,500 by the State of Massachusetts had lapsed by general law before the last session of the legislature of that state, and the fact being brought to the attention of that body at their last session by Governor Robinson, with appropriate suggestion, the appropriation was promptly renewed and increased to \$10,000.

The general plan of a monument has been settled upon by the association since your last session, but the erection of the same has not yet been contracted, and so the conditions of the law, providing that no moneys appropriated by the state shall be used in the erection of the monument until the Governor is satisfied that sufficient funds have been raised from various sources to complete it, have not been complied with with sufficient definiteness to warrant the turning over

of the funds at hand for this purpose to the association, nor to cover into the treasury or to release to the use of the association the moneys appropriated by the general government and by the States of New Hampshire and Massachusetts.

The amount of available funds for this object is now something over \$82,000 00.

I have attended two meetings of the association at Bennington, have had much correspondence upon the subject of the plan of the monument, and I find that the impression has grown with many that haste is being made too slowly in this patriotic enterprise.

I think, after so many years of discussion with no ground broken, the general assembly well might interpose and by appropriate legislation encourage progress.

The funds are ready and will not largely increase. Let the structure rise, grand and imposing as it will be, at such a cost, a few feet more, or a few feet less, than three hundred feet, and let us do the best we can with what funds we have. Three generations have come and gone since the battle. The fourth ought to assure the rearing of the monument.

#### STATE MILITARY HISTORY.

Pursuant to the act of 1882 for that purpose the commissioners therein named contracted for the printing and publication of the history of the part taken by the soldiers and sailors of the state in the late war by the state military historian.

The first volume has already been issued and distributed as directed.

It is expected that the other volume will be passing through the press during this session and soon be ready for a like distribution.

#### PARDONS, ETC.

In the matter of pardons, conditional discharges and remittances of fines, which is left by our constitution in the discretion of the executive with the right by statute to the counsel and advice of a part of the supreme court judges, a responsibility of extreme delicacy is imposed.

The afflictions of parents, wives, children and friends bring appeals to the sympathies of all men.

The organic law of the state clearly contemplates that the convict, upon presenting a petition having merits, has a right to be heard under such well-defined and fixed principles as shall commend the executive action in each case to all right-minded men alike.

In the execution of this law the action of our courts, so just and humane in their administration of criminal justice, is assumed to season justice with mercy to the limit of the general good.

The general assembly of 1880 enacted a law for the granting of conditional discharges and providing for the manner of the same.

The purposes of this act were to enlarge the reformatory influences of the criminal and penal laws. Under it, with the use of careful discrimination in designating its beneficiaries, the purposes of the law cannot fail of most salutary results.

The report of pardons and conditional discharges from the state prison, house of correction and reform school in the last two years, will be found in the appendix with the general reasons for executive action in each case.

The petitions denied are more numerous.

#### STATE LIBRARY.

Under the act of the last session appropriating \$36,000 for the purpose of erecting upon the lands of the state "a building for the use of the state library, the supreme court and the collections and library of the Vermont Historical Society, and other state public uses," the commissioners appointed thereby (with the exception of the Honorable Frederick Billings, who, being unable to serve, the Hon. Justin S. Morrill was appointed to fill the vacancy) duly entered upon the duties assigned them, selected the site, determined upon the plan and have erected said building in accordance with said act.

The growing need of such a public building has been kept before the legislature for many sessions,—being urged through executive messages and reports of committees—until all were disposed to concede its necessity.

Its location, independent of, and yet conveniently connected with, this capitol was determined upon by the commission mainly with a view to its ready accessibility to the members of the general assembly.

The detailed report of the commission addressed to the general assembly is not completed at this writing, but will be laid before you probably before this message is read.

#### THE SMALL POX EPIDEMIC.

September 20th, 1885, reliable information of the alarming ravages of the small pox epidemic in the Province of Quebec had come to my knowledge and the evidence was complete that its effects would soon extend into and through the state unless immediate precautionary measures were taken to prevent its spread southward.

Finding no specific safeguards of legislation in our statutes adequate to the emergency, I applied to the President under the Revised Statutes of the United States and the secretary of the treasury at once directed a suitable number of medical inspectors of the navy to proceed to the northern border of the state to advise and assist the local boards of health—the selectmen—so that the spread of the epidemic into and through the state might be prevented and suppressed. All requisite quarantine measures were at once adopted

How efficient the services of these medical officers and their local assistants proved to be is indicated by our comparative immunity from the devastation of the disease.

After the crisis was thought to be over, the quarantine raised and the consequent relaxation of vigilance, renewed application came from the border towns in February following, setting forth that the disease had re-appeared in several of the towns of the Province bordering on our northern frontier, whereupon the authorities at Washington, being advised by telegram, the medical examiner of the government was on duty again on the line in twelve hours, and such measures were taken as secured our people from further danger from the pestilence.

The promptness of the response of the honorable secretary of the treasury, in this time of alarm, the efficiency of the action of the medical officers of the federal government and their local assistants in the performance of their delicate duty in the personal inspection of all the railway travelers across and along the line of the Province as well as the zeal of the railroad officers and the town authorities, entitle them to the thanks and commendation of all.

#### DEATH OF GENERAL GRANT.

July 23d, 1885, the death of General Grant—twice President of the United States—the defender of the Union—the victorious leader of our armies in the great civil conflict—and General on the retired list—was heralded to an expectant world.

It seemed fitting that the people of every state should recognize the official tribute of respect recommended in the President's proclamation, and by states do special honor to the memory of the nation's departed chieftain.

In accordance with the designation of the President, Saturday, the 8th day of August, 1885, was set apart by state proclamation for services befitting the deep solemnity of the occasion.

With a portion of my staff I attended the funeral at Riverside, where all the states of the Union were similarly represented.

#### CONCLUSION.

In concluding my relations with the executive office, I ought, by way of invoking charity for my official short-comings, to say to you, gentlemen of the joint assembly, and through you to my fellow citizens, that my relations with the civil government of the state in any official capacity have been limited to this department.

This inexperience in the practical duties of public affairs has necessarily devolved on me an embarrassment in the administration of the varied and complex duties of the high trust which has rarely been experienced by the men so generally tried in public station who have preceded me.

I profoundly appreciate the forbearance, the courtesies and the many offers and deeds of assistance which have been extended to me in the discharge of my official duties.



The past is replete with its proofs of the upright purposes, the earnest efforts and the general success in results which have characterized and crowned the deliberations and acts of all the departments of our government.

May the Divine guidance direct you in the labors of this session, —and the Governor who will constitute with you the legal representatives of the people—in such a manner that the permanent and material interests of our commonwealth and the happiness of her people may be advanced at your hands.

SAMUEL E. PINGREE.

EXECUTIVE CHAMBER,  
MONTPELIER, Vt., October 7, 1886. }

The Governor having concluded the reading of his communication withdrew and the joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
*Clerk.*

## APPENDIX.

### APPOINTMENTS.

The following is a list of miscellaneous appointments not otherwise specifically noted :

- Oct. 8, 1884. Gardner J. Wallace, Bethel, Sheriff, Windsor county, *vice* Rollin M. Amsdem, resigned.
- Oct, 13, 1884. Wilson S. Lovell, Springfield, High Bailiff, Windsor county, *vice* Gardner J. Wallace, resigned.

### NORMAL SCHOOL EXAMINERS.

- Nov. 29, 1884. Judah Dana, Rutland, for Castleton, 1884-5 ; David J. Foster, Burlington, for Johnson, 1884-5 ; Marsh O. Perkins, Windsor, for Randolph, 1884-5 ; and
- Dec. 1, 1885. David J. Foster, Burlington, for Castleton, 1885-6 ; S. W. Landon, Burlington, for Johnson, 1885-6 ; Marsh O. Perkins, Windsor, for Randolph, 1885-6 ; and
- June 12, 1886. W. H. Cummings of Thetford, for Randolph, *vice* Marsh O. Perkins, resigned.

### FISH COMMISSIONERS.

- Nov. 25, 1884. Hiram A. Cutting of Lunenburg, and Herbert Brainerd of St. Albans, to hold office until Dec. 1st, A. D. 1886.

## BOARD OF DENTAL COMMISSIONERS.

- Nov. 29, 1884. Rolla M. Chase, Bethel; Orlando P. Forbush, Montpelier; James Lewis, Burlington; George H. Swift, Manchester; Lewis T. Lawton, Rutland;
- April 6, 1886. Joseph L. Perkins, St. Johnsbury, *vice* Lewis T. Lawton of Rutland, removed to St. Paul, Minnesota.

## JUDGE OF PROBATE.

- Dec. 1, 1884. Hugh Henry, Chester, judge of probate. Windsor district, to fill vacancy caused by the resignation of William H. Walker.
- April 24, 1885. William G. Fairbank and Margie E. Fairbank, Vergennes, delegates to the Twelfth National Conference of Charities and Correction at Washington, D. C., June 4, 1885.

## ASSISTANT JUDGES.

- May 11, 1885. William Rounds, Chester, Assistant Judge, within and for county of Windsor, *vice* William M. Pingry, deceased.
- Jacob C. Hovey, St. Johnsbury, Assistant Judge, within and for county of Caledonia, *vice* Jabez Smith, deceased.
- Oct. 10, 1885. Silas P. Carpenter, Richford, Assistant Judge, within and for county of Franklin, *vice* George M. Goff, resigned.
- Nov. 24, 1885. William S. Wright, Waltham, Assistant Judge, within and for county of Addison, *vice* Edson A. Doud, resigned.
- May 19, 1886. Nelson Gay, Stockbridge, Assistant Judge, within and for county of Windsor, *vice* William M. Danforth, resigned.

## SPECIAL PROSECUTORS.

- Under Act No. 112, Laws of 1884.
- Jan. 8, 1885. Edward Dana, Rutland, for Rutland.
- Feb. 2, 1885. A. P. Tupper, Middlebury, for Middlebury.
- Feb. 10, 1885. Edward D. Reardon, West Rutland, for Rutland. (Having received federal appointment, subsequently resigned.)
- March 19 1885. Frank T. Forsaith, Troy, for Troy.
- Oct. 31, 1885. Joseph Battell, Ripton, for Ripton.
- Dec. 21, 1885. Franklin Scott, Bennington, for Bennington.
- April 1, 1886. Surry W. Stimson, Ludlow, for Ludlow.
- July 31, 1885. Redfield Procter, Rutland,
- Aug. 19, 1885. Hiram A. Cutting, Luenburgh, and Arthur Ropes, Waterbury, delegates to the American Forestry Congress at Boston, Mass., Sept. 22-24, 1885.

- Aug. 4, 1885. Gilman S. Moulton and  
 Nov. 10, 1885. Richard J. Kimball, Randolph, delegates to the third annual convention of the National Cattle Growers' Association of America at Chicago, Ill., Nov. 17 and 18, 1885, and also to the second annual meeting of the National Cattle and Horse Growers' Association of the United States at St. Louis, Mo., Nov. 23-28, 1885.
- Aug. 6, 1885. John B. Mead, Randolph, Commissioner for Vermont at the North, Central and Southern American Exposition at New Orleans, La., November, 1885, to March 31, 1886.
- Oct. 26, 1885. Nellie P. Mead, Randolph, Commissioner for Vermont of Women's Exhibit at the North, Central and South American Exposition, New Orleans La., November, 1885—March 31, 1886.
- Nov. 28, 1885. Isaiah L. Strong of Huntington, Commissioner and Collector of Taxes for gores in Chittenden county, *vice* Anson W. Peet, resigned.
- Nov. 4, 1885. Joseph C. Parker, Hartford, and  
 Nov. 10, 1885. Marvin W. Davis, Westminster, delegates to Farmers' National Congress, held at Indianapolis, Ind., December 2, 1885.
- Dec 1, 1885. Charles H. Mason, Bennington, Judge of the Municipal Court in and for Village of Bennington. (Judge Andrew Potter refused to accept re-appointment.)
- Jan. 4, 1886. John B. Mead, Randolph, Commissioner of the State of Vermont at the American Exhibition, London, England, opening May 1, 1886, (since postponed to 1887), *vice* Edward H. Ripley, resigned.
- May 17, 1886. Hiram A. Cutting, Lunenburgh, }  
 Orville M. Tinkham, Pomfret, } At large.  
 W. W. Cook, Burlington, and }  
 Marvin W. Davis, Westminster, }
- George G. Smith, St. Albans, and } 1st. Cong.  
 Francis E. Douglass, Whiting, } District.
- Elam M. Goodwin, Hartland, and } 2d Cong.  
 Stephen J. Douglass, Waterford, } District.
- Delegates to the Farmers' National Congress, held at St. Paul, Minn., Aug. 25, 1886.
- June 12, 1886. William G. Fairbank, Vergennes, delegate to National Prison Congress, held at Atlanta, Ga., Nov. 16-21, 1886.

## PARDONS AND CONDITIONAL DISCHARGES.

Margaret Cloran of Burlington; sentenced in June, 1884, by Burlington city court for selling liquor, to the house of correction for one month and fined \$260 and costs; alternate sentence 853 days. Conditionally discharged December 5, 1884, upon satisfactory proof of inability of herself, or friends to pay the fine, and on recommendation, with good reasons stated, of the state's attorney, sheriff, mayor and others.

Edward Gaffney of Windsor; sentenced in June, 1883, to state prison for six years, for assault with intent to kill. Conditionally discharged December 15, 1884, upon satisfactory proof that he was about to die of consumption. He died some months after his release.

Jonas J. Snow of Walden; sentenced for life to state prison for murder in second degree, in June, 1874. Conditionally discharged at seventy-four years of age, upon the recommendation of the directors and superintendent of the prison, the jury who tried him and the prosecuting officer. His crime was committed in a fit of intoxication, and under fancied insult to his wife. He has since applied for restoration to the prison, but the superintendent declined to admit him without papers. In his normal condition he was never a criminal person.

Ellen O'Laughlin of Rutland; sentenced by Rutland municipal court in October, 1883, to the house of correction for violation of the liquor law, 111 days, on failure to pay fine and costs amounting to \$37.76. Conditionally discharged February 19, 1885. It appears that this case went to final judgment through an error in not perfecting appeal, and on request of the judge, sheriff, state's attorney, selectmen of Rutland and other officials and citizens, setting forth the peculiar hardships of her case, she was conditionally released.

Wilfred D. Sproat of Norwich; sentenced to state prison for ten and five years, for arson, by county court in 1874. Conditionally released in June, 1885. He was but eighteen when tried. His term, with the time saved by good conduct, was nearly out. If reformation were possible through prison discipline in this young man, it has been attained. Many of the best-minded citizens of Norwich asked for his conditional release. It has worked well thus far.

Anson Heyward of Winhall; sentenced by Windsor county court in May, 1874, for burning his own buildings, and thereby causing the burning of the dwelling-house of another, to the state prison for twenty years. Conditionally discharged in June, 1885, on petition of neighbors or acquaintances, among whom are selectmen and other town officials, and magistrates, professors and business men of all callings.

William Nailor of Vergennes; sentenced in 1885 by county court to house of correction one year for burglary. Conditionally discharged last June on representation of state's attorney and others, showing clear merits for same.

Alice M. Day of St. Johnsbury ; sentenced in 1883, for larceny, to three years in the house of correction. Abundant proof came to me in the case of this young woman that her errors of life were the result of bad influences. Married while a girl of seventeen to a drunken fellow, and decoyed into the crime of which she was convicted by a villain, recommended to executive clemency by the state's attorney for her prosecution and by the present state's attorney, familiar with the case, and convinced by the statements of the late matron of the house of correction that from chronic infirmities she would be an invalid at prison service, I extended to her a chance for reformation—the liberties of the prison, in November last past—her confinement in jail and in the prison, with her time credited for good conduct there, having proved sufficient for her case as viewed by me.

Ellen Cronan of Rutland ; sentenced September, 1885, by the municipal court of Rutland to 105 days in the house of correction, for selling liquor. Released conditionally January 1st last, upon request and representations of the judge of the court, chief of police of Rutland, town grand juror, the board of selectmen and many other citizens. She had a nursing infant with her.

Michael Kennedy of Rutland ; sentenced in March, 1878, for robbery, to state prison for twelve years. Conditionally discharged last April. Upon careful examination I became satisfied that this lad was not the instigator of the crime, but was led to it by older offenders who escaped detection. The judge who sentenced him advises me that the sentence was made under misapprehension of this fact and asks that he be conditionally released. The entire court and officers of the law in his prosecution concur with the presiding judge in the request, and many good citizens of Rutland, with the assaulted party, invite it by letter and petition.

George Barney of Burlington ; sentenced by Burlington city court for statutory burglary and grand larceny, to house of correction, July, 1884, for five years. Conditionally discharged September 14th last, on recommendation of superintendent and directors, and satisfactory proof that his death from tubercular consumption is near.

Alvin R. Stokes of St. Johnsbury ; sentenced by supreme court in May, 1883, to state prison for seven years, for procuring an abortion. Conditionally discharged September, 1886. Medical testimony of prison physician satisfied me that this convict is subject to tubercular consumption if continued in prison. His conditional discharge is prayed for by most of the jury who tried him, the officers of the law who prosecuted him, and by the judge at trial. Besides, his wife, a woman of good name, is shown to be in her last sickness and asks that her husband may be released to see her before her death. Also, more than a hundred of the good citizens of St. Johnsbury join in the petition.

James Conlin of Shrewsbury ; convicted by Rutland municipal court of larceny on information and plea of guilty, and sentenced to three years in state prison. Conditionally discharged on account of

increasing impairment of mental faculties, soon likely to result in insanity if confinement is prolonged. The proof of this was conclusive.

Larry Mansfield of Rockingham; sentenced to house of correction in March, 1885, three years, for larceny, by Windham county court. In last stages of chronic syphilis. Pardoned in March, 1885, on urgent request of the directors and all the work-house officials for the sanitary safety of the institution.

Ida Smith of Underhill; sentenced to the house of correction one year and six months, for bigamy, by the Burlington city court, August 1st last. Pardoned September 18, on request of directors and officers of the house of correction. Her confinement in child-birth drawing nigh, the institution not being suitable for a lying-in hospital, it seemed to be for the good of the public to return her to Underhill.

To His Excellency, SAMUEL E. PINGREE,

Governor of Vermont.

DEAR SIR:—By act No. 163 of the legislature of 1882 and section 6th of said act it becomes the duty of the directors of the St. Albans hospital to report to you annually, on or before the first day of August in each year, the number of patients received into the hospital during the year ending July the 1st, preceding, distinguishing indigent from paying patients, the nature of the diseases, etc., the nature and value of the property of the corporation, its resources and pecuniary condition.

This duty the directors have imposed on me and it covers the period from July 1st, 1884, to July 1st, 1886, a period of two years. A severe injury received June 23d, 1885, prevented me from reporting last year.

First as to number of patients: there were 37, 19 paying and 18 non-paying.

Their diseases were as follows: Cystitis, 5; Bronchitis, 3; Diseases of Eye, 4; Erysipelas, 1; Hemi-plegia, 1; Piles, 1; Secondary Syphilis, 1; Uterine disease, 4; Nervous prostration, 3; Fracture of Femur, 1; Pul Hemorrhage, 1; Delirium Tremens, 1; Measles, 1; Typhoid Fever, 1; Varicose Ulcer, 1; Fracture of leg above and below knee, 1; Diarrhœa, 2; Infirmities of age, 1; Cancer, 4.

Of the above patients six died—three from Cancer, one from Delirium Tremens, one from railroad injury and one from old age.

Twenty-two were cured, six improved and three not improved.

As to the nature and value of the property of the corporation.

Hospital Buildings and Grounds .....	\$8,000
Notes, etc.....	17,000
Farm in Cambridge, 180 acres, a wood-lot in Belvidere 400 acres.....	10,000
Total.....	\$35,000

Receipts from patients.....	\$600
Interest from notes.....	2,000
Receipts from donations.....	200
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Total.....	\$28,000

Cash on hand July 1st, 1886, about \$400.

Yours,

GEORGE DUNSMORE,

Supt. St. Albans Hospital.

ST. ALBANS, VT., July 31st, 1886.

MARY FLETCHER HOSPITAL REPORT.

To His Excellency, SAMUEL E. PINGREE,

Governor of Vermont:

The directors of the Mary Fletcher Hospital, in pursuance of the provision of the charter of that institution, respectfully submit the following report for the year ending July 1st, 1886:

Total number of patients admitted.....	142
“ “ paying “ “ .....	81
“ “ charity “ “ .....	61
“ “ male “ “ .....	68
“ “ female “ “ .....	74
“ “ surgical cases “ .....	87
“ “ medical “ “ .....	55
“ “ deaths .....	6
clinical cases not admitted to hospital.....	46

PROPERTY OF THE HOSPITAL.

Securities and cash.....	\$331,296.13
Real estate, buildings, furniture and fixtures.....	84,710.73
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Total.....	\$416,006.86

By order of the Directors,

L. G. WARE, Secretary.

IN JOINT ASSEMBLY, }  
October 7, 1886, 2.30 P. M. }

The senate and house of representatives met in the hall of the house of representatives in pursuance of a joint resolution, which was read by the clerk and is as follows :

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly on Thursday, October 7th, at two o'clock and thirty minutes in the afternoon, to receive the report of the joint canvassing committee appointed to canvass votes for state officers.

HON. HENRY C. BATES, president of the senate, *pro tempore*, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

The joint canvassing committee submitted a report, which was read by the clerk, and is as follows :

TO THE JOINT ASSEMBLY NOW IN SESSION :

The joint canvassing committee appointed to canvass the votes for Governor, lieutenant-governor, treasurer, secretary of state and auditor of accounts, respectfully report :

That they have attended to the duties of their trust, and find the number of votes to have been :

For Governor	57,099
Necessary for a choice	28,550
Of which Ebenezer J. Ormsbee had	37,709
Stephen C. Shurtleff had	17,187
Henry M. Seeley had	1541
Truman B. Smith had	644
Scattering	18
Majority for Ebenezer J. Ormsbee	18,319

And agreeably to constitutional provisions, we hereby declare Ebenezer J. Ormsbee, who received a major part of the votes, to be Governor of the State of Vermont for the two years next ensuing.

For lieutenant-governor	56,794
Necessary for a choice	28,398
Of which Levi K. Fuller had	37,296
Patrick M. Meldon had	17,137
W. L. Pearl had	1,518
George F. Brown had	658
Scattering	185
Majority for Levi K. Fuller	17,798

And agreeably to constitutional provisions, we hereby declare Levi K. Fuller, who received a major part of the votes, to be lieutenant-governor of the State of Vermont for the two years next ensuing.



For treasurer	56,944
Necessary for a choice	28,473
Of which William H. DuBois had	37,747
Thomas H. Chubb had	17,100
C. W. Wyman had	1514
Fletcher Tarble had	580
Scattering	3
Majority for William H. DuBois	18,550

And agreeably to constitutional provisions, we hereby declare William H. DuBois who received a major part of the votes, to be treasurer of the State of Vermont for the two years next ensuing.

For secretary of state	57,107
Necessary for a choice	28,554
Of which Charles W. Porter had	37,768
Wallace W. Rider had	17,130
George L. Story had	1518
A. J. Merrill had	568
Scattering	123
Majority for Charles W. Porter	18,429

And agreeably to constitutional provisions, we hereby declare Charles W. Porter, who received a major part of the votes, to be secretary of the State of Vermont for the two years next ensuing.

For auditor of accounts	57,121
Necessary for a choice	28,561
Of which E. Henry Powell had	37,629
J. A. Wilder had	17,302
Levi S. Lewis had	1,510
E. B. Sawyer had	678
Scattering	2
Majority for E. Henry Powell	18,137

And agreeably to constitutional provisions, we hereby declare E. Henry Powell, who received a major part of the votes, to be auditor of accounts of the State of Vermont for the two years next ensuing.

All of which is respectfully submitted.

VICTOR I. SPEAR,

*Chairman of the Joint Canvassing Committee.*

Montpelier, October 7, 1886.

Senator Baker of Rutland county offered the following resolution :

*Resolved,* That a committee of this joint assembly consisting of one senator and two members of the house of representatives be appointed by the president to wait on the Governor-elect and inform him of his election, and that the joint assembly is in session and ready to receive any communication he may desire to make to it ;

Which was read and adopted.

And thereupon the the president appointed as such committee Senator Baker of Rutland county, Mr. Stanton of Roxbury and Mr. Currier of Troy.

The committee subsequently appeared within the bar of the joint assembly, accompanied by the Governor-elect, and announced that they had fulfilled the duties of their appointment, that the Governor-elect accepted the office to which he had been elected, and that he then proposed to receive and subscribe to the oath of office ;

Which oath was duly administered by the Hon. H. Henry Powers, one of the judges of the supreme court of Vermont and subscribed to by His Excellency.

The Governor having been presented to the joint assembly, proceeded to deliver the biennial

### MESSAGE.

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES, IN JOINT ASSEMBLY CONVENED :

We are assembled, in accordance with the provisions of the constitution, as the chosen representatives of the freemen of Vermont, in the several legislative departments of state government—each and all by our several oaths of office bound to faithfully do and perform every duty. In aid and furtherance of our individual determination to sacredly keep those oaths, let us ever remember that, in and of ourselves only, our best endeavors are liable to come to naught ; that abiding strength and unerring guidance come only from Him who rules the universe.

The people, whose servants we are, demand of us prompt and efficient action in whatever comes to us to do or consider as their representatives. The time and money spent here in their service is theirs, not ours. Duly impressed with correct views of duty, let us proceed to a performance of it with as much dispatch as is consistent with candid consideration and safe and wise conclusions.

The biennial reports of the several state officers, as to matters under their charge, will be before you. To these you will look for details and itemized accounts of current state affairs, and also, for information and light as to how well or ill the affairs pertaining to the welfare of the state have been, and are being, performed by your selected and trusted servants—for the state officers are but the servants of the people, and their reports an account of their stewardship.

It is a part of the duty of these respective officers by their reports, to make suggestions and recommendations, and coming from persons most conversant with the details, and more familiar than most of us with the workings, as well as the needs, of their respective departments, such suggestions and recommendations are entitled to, and doubtless will have, your careful attention and consideration.

The report of the treasurer presents an itemized statement of the financial affairs and condition of the state. The subject of the finances of the state usually does, and always should have, the most rigid and careful scrutiny, and the public does and should require this.

#### TREASURER'S REPORT.

From this report it appears that, at the close of the last fiscal year, July 31, 1886, the state

#### LIABILITIES.

were as follows, viz. :

Due towns, U. S. Surplus Fund.....	\$13,397 62
Due soldiers, unpaid balances.....	8,557 46
Due Agricultural College Fund.....	135,500 00
Balance due on appropriation for state library,....	22,706 55
Balance due on appropriation for bridge from North Hero to Alburgh.....	19,062 00
	<hr/>
	\$199,224 13

and the

#### RESOURCES.

were as follows, viz. :

Cash on hand and in banks.....	\$160,974 97
Estimated amount of tax from corporations for 1886.....	200,000 00
Estimated proceeds from sale of balance of Hunt- ington Fund Securities.....	15,000 00
	<hr/>
	\$375,974 97

Of the items making up the liabilities, the following are not subject to call, and no present provision is required to meet them, viz. :

U. S. Surplus Fund.....	\$13,974 62
Balance due soldiers.....	8,557 46
Agricultural College Fund. ....	135,500 00
	<hr/>
Amounting to.....	\$157,455 08

which sum deducted from the total liabilities leaves, subject to be paid presently, \$41,769.05, showing an excess of resources over current liabilities of \$334,205.92. This excess of available resources is about equal to the expenses of the state in a session year, when no extraordinary appropriations are made or unusual expenses incurred.

#### STATE EXPENSES.

This subject has received much attention and consideration at the hands of the legislature within the last decade; many abuses have been remedied; many sources and avenues of unnecessary expense have been effectually closed; important streams of revenue, that had ceased to flow, partially or wholly, have been made to pour again their hidden or diverted contents into the state treasury.

This is a just cause for congratulation and thankfulness. That so much has been accomplished, my predecessors, in their biennial messages have uniformly given much credit to the faithful and intelligent service of our present auditor of accounts, and I take this opportunity to express like sentiments, not as a compliment merely, but to give public and official recognition and appreciation of faithful and intelligent performance of duty.

Turning to the report of the auditor of accounts, we find that he has given requisite attention to the transactions of the state treasurer, and of him he says that "all transactions in his department are correct." This is gratifying, but not unexpected intelligence. The auditor in his report, dwells at some length on the fruitful subject of "court expenses," and your careful attention is solicited to the information there given, and the suggestions and recommendations there made. The want of uniformity in existing laws, wherein it consists, and a proposed remedy therefor, are so plainly set forth, that there is no occasion for me to dwell upon the subject further than to express a confident hope that such legislation may be had as to provide that *all* costs, accruing in criminal prosecutions, should, in cases of conviction, be taxed against the respondent. So far as may be reasonably possible, let the violator of the criminal law of the state, as a part of the penalty of his crime, be required to pay the costs and expenses of the state in bringing him to justice. The remarks and suggestions of the auditor, bearing on expenses and costs in criminal cases, merit, and I trust will have, your careful and patient attention.

That abuses have been corrected and that misapplied or withheld funds of the state have so largely found their way into the treasury is, as I have said, cause for congratulation, but not an excuse for relaxation of vigilance. You will not forget that it often happens that there is the greatest danger in fact, when quiet and seeming prosperity abound. An empty treasury is far from being an unmixed evil; it prompts and encourages care and economy, while an overflowing one often leads the way to extravagant appropriations and waste of public funds.

Akin to the subject of state expenses, is that relating to the means and measures provided for meeting them, and this can only be accomplished by some of the varied modes of taxation. And I assume that, for the present at least, it will be the policy of the state to look for its revenues mainly to the provisions of act No. 1 of the session laws of 1882, entitled "an act to provide a revenue for the payment of state expenses," and acts in addition thereto, or amendment thereof, familiarly known as the corporation tax law. The adoption of this method, was, as you know, a wide departure from former ones, and, in no limited sense, an experiment. The experiment has been successful, probably beyond the expectation of the most sanguine of its promoters, and, what is more surprising, and not less gratifying, this success has been brought about without friction, or disturbance of the large business interests involved; and the law has, I believe, the cheerful acquiescence of all parties

and persons made to contribute by it. Too much commendation cannot be given to the framers and promoters of this law. The state at large has been greatly benefited, and I am not aware that any of the contributing parties now complain. The wise and fortunate selection of a tax commissioner, to apply and administer the law in question, and the wisdom and marked discretion with which he has performed his new and complex duties have done much to secure its success, and merits this recognition at my hands. From the report of the commissioner, we learn that the taxes assessed under this law in 1884 amounted to \$205,221.76, and in 1885. \$200,685.70, and from the report of the treasurer it appears, of the taxes assessed in 1884 there was paid into the treasury the sum of \$205,225.33, and of those assessed in 1885 there was paid the sum of \$200,685.70; and the treasurer estimates the receipts in 1886 under the law at \$200,000.

The tax commissioner by his report makes certain suggestions and recommendations concerning the correction of some seeming inequalities in the application and working of the law, and the removal of claimed doubts as to its application, to which I solicit your considerate attention.

By the report of the commissioner of taxes, we learn that statistical inquiry, under the provisions of act No. 2 of 1884, fixes the average rate of property taxation in the state in 1884 at about one hundred and twenty-three cents on the dollar of the grand list of that year, and at about one hundred and twenty-five cents for the year 1885. This information should prompt watchfulness and economy.

#### REPORT OF THE INSPECTOR OF FINANCE.

Among other important duties imposed upon the inspector of finance is that of examining and making report to the general assembly as to the condition of the savings banks and trust companies in the state. This alone makes this office one of grave importance to the people.

In 1860 the various savings banks of the state held deposits to the amount of about one million dollars; the amount now held (June 30, 1886,) including deposits in trust companies is *fourteen million, two hundred fifty-three thousand, nine hundred sixty-three dollars and forty-seven cents*, and the number of depositors (at same date) is 49,453. To a very large extent, these deposits are the savings—and in many cases the little all—of the poor, the widows and orphans of the state, and it is your duty to encircle them with every safeguard and to protect them with every reasonable limitation and restriction as to investment. These deposits are in the highest sense *trust funds*, of which the directors, trustees and managers of these savings institutions are but *trustees*. In the matter of the management and investment of these funds, every other consideration should be secondary to and yield to that of safety. Any departure from this rule is highly censurable. And bearing on this subject, I quote from the concise and able report of the inspector, with my unqualified approval.

He says :—"The great underlying principle which should, it seems to me, govern the management of trust funds—and savings deposits are nothing more nor less than trust funds—is that safety should be the first and strongest consideration actuating and governing trustees." "Savings banks were instituted for the purpose of affording an absolutely safe place for the deposit of the small earnings of widows, minors and others, who are not sufficiently versed in matters of finance to care for their own savings. And this purpose is wickedly perverted when trustees become ambitious to build up great institutions by paying large dividends and thereby attracting the capital of the wealthy."

These plain and well-pointed remarks of the inspector find application and meaning in what is reported by him as to investment of these funds in "Western farm mortgages." The importance of the subject, and the desire on my part that the views and recommendations of the inspector be more widely disseminated lead me to quote further from his report. He says :—"Strictly choice municipal bonds, a class of investments upon which our savings banks have heretofore largely relied, now rarely pay more than four per cent net, and many of our savings bank managers have deemed it wise to discard largely this class of securities and to correspondingly increase their investments in Western farm mortgages, which pay a much larger rate of interest."

I call your attention to the recommendation of the inspector that the present limit (58 1-3 per cent) within which savings deposits may be invested in Western mortgages, be reduced to forty per cent. I recommend that the law limiting and restricting the investment of deposits be so amended as to meet the recommendations of the inspector. Some of the present restrictions are seemingly unjust, or at least unwise. The well known financial ability and standing of the inspector, and his large experience, are I am sure, quite sufficient to secure your earnest attention to his report. His evident solicitude—not to say anxiety—is fully accounted for by a careful study of his report.

In the report of the treasurer you will find an itemized statement of the several trust funds in his hands for which the state is accountable, and the official certificates of the auditor of accounts and inspector of finance that they have examined these funds and found the same correctly set forth in the said statement of the treasurer.

#### EDUCATION.

Few, if any, subjects are equal to this in importance, and I am pleased to be able to say that no subject has received more thought and attention from the general assembly and also from the thoughtful people of the state. And I venture to assert that it has been a long time, if ever, since there was more thought given to the subject than at the present time, and it is probable there has never been a period when there was more, if as much, anxiety and solicitude concerning it as now. The importance attached to the subject is easy to understand, as *intelligence* of the *masses* is absolutely essen-

tial to the *prosperity* and *existence* of our form of government and its free institutions. But why the present unusual interest, anxiety and solicitude? The answer to this enquiry is found in an assertion or proposition not pleasant to entertain or contemplate, yet forced upon us by seemingly unquestioned and unquestionable facts—an assertion promulgated by my predecessors and also by the constituted heads of the educational departments of the state, both past and present, and corroborated by the national census bureau. It is, that the people of our commonwealth are increasing in illiteracy—that she is losing rank with, and falling behind, her sister states in that education and intelligence that can come only from the common or public schools. The proposition is as unwelcome as it is alarming, and I would gladly refute it could I see my way clear to maintain my position.

Assuming that this is correct, I am led to repeat the inquiry of my earnest and accomplished predecessor, ex-Governor Pingree: "Wherefore are we being left behind?" This is certainly a most important inquiry, and I address it to you in all possible earnestness, trusting you may be able, not only to answer it, but to find a cure, and by early legislative action make vigorous application of it, even though it should involve radical changes in our educational system. Pursuing the subject, I put the further inquiry: Has there been in the past, or is there now such a want of proper pecuniary support and encouragement by the state for the common schools as to account for the trouble? If so, and you should unlock the treasury and provide the proper aid, it would have have my approval; but I understand the reverse to be true. The trouble is evidently not here.

Looking further, let me ask you as to the condition and efficiency of the colleges, academies, normal schools, high and graded schools, and the larger and more central of the district schools of the state. My observation and information is that these as a whole compare favorably with like institutions of learning elsewhere and have a corps of instructors, teachers and managers as competent, efficient and well equipped as any. This being so, we must look further for the difficulty.

Outside of the schools particularized are about sixty thousand of the school children of the state, exclusive of those who attend private schools—or about three-fourths of the whole number of scholars attending any and all schools. It is said, and I do not understand that it is questioned to any considerable extent, that the trouble is in the smaller schools, schools more or less remote from the villages and central schools. Having located the trouble, (if I am correct in my information and conclusion) you can more readily search out the disease and apply a cure, and this is *your* special province.

In pursuing your investigation, you will doubtless find that the average number of scholars in these outlying districts does not exceed one-half that of thirty or fifty years ago, the territorial dimensions of the districts remaining substantially the same. The asser-

tion or proposition that a small school fails to keep alive or awaken the interest of the pupil and is accompanied by the comparative indifference of the community where such school is located, will very generally, I am sure, receive your assent. We are told by the superintendent of education in his report, that there are in the state *one hundred and three* schools with not over *six scholars* each, and four hundred and seventy having more than six and less than twelve. After a careful consideration of this subject, I am compelled to conclude that the trouble mainly lies in these small schools; that, so long as old district lines are held too sacred to be disturbed, the trouble must, from necessity, not only remain with us, but increase rather than diminish. And, notwithstanding the adverse expression of the voters of the several towns, I should fall short of a full performance of what I conceive to be my duty, should I omit to say that it is my earnest conviction that adequate and lasting relief can come only by an adoption of the "town system," or some other system by which the same end can be accomplished or arrived at. I am not, however, wedded to this or any other particular system, but I earnestly submit that the importance of the subject is quite enough to call forth your best efforts and unbiased action in search of a remedy and in providing for an application of it.

I solicit your attention to the report of your devoted and painstaking superintendent of education. The opinions, conclusions and recommendations of one so well versed in the subject, and who has given it so much patient study and attention should be of great weight. If, in treating upon this subject at such length, I have trenched upon your province, or invaded the field of argument, the importance of the subject and my anxiety concerning it must be my excuse.

#### STATE BENEFICIARIES.

This subject and the expense of the state having reference to it, is treated at length by my predecessor in his retiring message, and I therefore only call your attention to it. It has become the fixed policy of the state to make ample provision for the education of its deaf mutes, blind and feeble-minded. And I doubt not it will be your pleasure to continue this policy and make such provision for carrying it out, as will enable all who should to share it.

#### STATE PRISON.

The report of the directors and superintendent shows a prosperous and harmonious condition of things at the prison, and it does not appear that any unusual event has transpired there within the period covered by it.

As to the *needs* of the institution, beyond current expenses, I cannot do better by way of calling them to your attention than to here quote from the directors' report, wherein they say;

"We cannot too strongly urge the construction of iron stairs too; and walks around the cells, to take the place of the old worn-out



wooden ones. This construction would render the prison safer from fire," etc. And they also suggest, in the way of a desired improvement, the enlarging of the front windows of the prison.

The well-known conservative character, and safe, business qualifications and habits of the directors give unusual value to their recommendations and suggestions. They have my concurrence, and will I trust, received careful consideration from you. If repaired and improved as suggested, we are assured by the report of the directors that the prison will not suffer by comparison with any of its size in New England. I learn from the directors that the prison has sufficient capacity to comfortably accommodate 150 inmates, and the superintendent's report shows that the present number, (July 31, 1886) is 88, indicating that there is much spare room in the prison—a condition of things not likely to be lamented.

#### HOUSE OF CORRECTION.

This institution has now been in operation about eight years, and, as was said by my predecessor in his incoming message, "is universally admitted to be a success of its kind," and from the report of the directors, which will be before you, the institution is seen to be popular as well as successful; and from the same source comes the gratifying intelligence that the institution has no special needs.

You will, however, I am sure, agree with me that this institution should have attention and relief, as we are told by the directors that it is burdened with a class of prisoners that, by the construction of its buildings as to safety, it was not designed to accommodate; and they add, "convicts sentenced for high crimes and long terms are not as secure as at the state prison, and no better cared for." It also appears that with a capacity of only 76 cells for males, it has at times been crowded with 120 male prisoners. And further, in their report, the directors say, "We receive more for labor at the state prison, and the work is much neater and the prisoners more secure," and ask that you prescribe a remedy.

I invite your attention to this matter, confidently believing that you can and will by appropriate legislation relieve the institution of its burdens and difficulties, and at the same time provide greater security for the more hardened criminals with pecuniary advantage to the state.

#### THE REFORM SCHOOL.

The object and purpose of this institution is indicated by its name and too well understood to call for any elaboration. From the nature of things, its work and the occasion for its existence may be considered to be perpetual. The frailties and frowardness of humanity furnish its patrons, and the hopeful, generous impulse of a Christian people asks its intervention and aid in wresting and saving from a life of degradation and crime the waifs and the unfortunate, homeless and criminally inclined children of the state. As the result of a long and watchful official connection with the school, I entertain no doubt

that the hopes and expectations of the most sanguine of the originators and supporters of the school have been, and are being, more than realized, in the good work accomplished. For the successful and beneficent results, very much credit is due to the faithful Christian labor and influence of Mr. and Mrs. Fairbank, for a long time and until lately the superintendent and matron of the school. I note with pleasure and approval the remarks of Governor Pingree in his retiring message, as to Mr. and Mrs. Fairbank. They are richly entitled to, and I doubt not will have, the thanks of the state for their long and faithful service; and its good wishes in their enlarged field of usefulness in a like relation to a similar institution in a sister state.

I bespeak for the institution the continued ungrudging and liberal support and encouragement of the state.

The state is to be congratulated upon the fact that it has in the state prison, house of correction and reform school, for superintendents and subordinate officers, men and women excellently adapted to their work and devoted to its best interests.

#### INSANE ASYLUM.

The condition of the insane persons of the state at the asylum, the work being done at the asylum, the condition, character and management of the institution, are so well stated and set forth in the excellent report of the supervisors of the insane, that a perusal of it will be quite sufficient to enable you to legislate properly as to any and all matters connected with this subject requiring your attention.

I invite your considerate attention to this subject, and to the report of the supervisors. The insane are the unfortunate wards of the state. In the treatment of them and providing for them there should be no such uncertain or insufficient action as to even tend to the foundation of a charge of neglect. The supervisors in their report treat at length on the subject of "The criminal and convict insane," and recommend that the state make provision for them away from the asylum, and give such reasons as to make it seem a matter of necessity to take action in the direction pointed out in the report. You will, I doubt not, give the subject such attention as it demands.

#### STATE LIBRARY.

To provide for a "need that had become a positive necessity," the legislature of 1884 passed act No. 227, and thereby made provision for the erection of a "building for the use of a state library, and other like purposes," and created a commission to carry out the will of the state in that behalf. From the report of that commission and the retiring message of Governor Pingree, we learn that the undertaking has been substantially accomplished. Modesty forbids me to say anything characterizing the work of the commission. The result of their labor and of the appropriation of the state is before you, and will doubtless receive your inspection and attention. I invite your attention to the report of the commission, which will be before you.

It will be in order and incumbent upon you to provide for properly furnishing the building.

## INTEMPERANCE.

It has for more than thirty years been the policy of our commonwealth, as expressed through its legislature by very many acts, both original and amendatory, to *prohibit* the sale of intoxicating liquors for beverage. And this has been, and now is, supplemented by the earnest prayers and never-tiring efforts and endeavors of very many of our best and most conscientious people of both sexes and of every creed and condition. That such has been the policy of the state and the past and present aim and endeavor of so many good people needs no apology nor explanation. The wrecks of naturally noble manhood and womanhood made by the excessive use of intoxicating liquor, the vice, crime, degradation, tears and sorrow directly traceable to the same cause, are more than sufficient to justify appeal to the strong arm of rigorous law for help, and to call forth the utmost and constant efforts of individuals to check, and so far as may be possible, to stop the fearful ravages of this monstrous evil.

That the law fails to accomplish all that was expected and hoped by the sanguine promoters of it will hardly be questioned by any. But, that it has had, and now has, the effect to prevent or at least to correct the evil in a large measure outside of the centers of our larger towns and villages, and to greatly regulate and control it generally, I fully believe. That the laws of the state on this subject are in many places openly violated and flagrantly disregarded is an open secret; and that in some instances—too numerous to be contemplated without concern—those upon whom has been, or is imposed the sworn duty of its faithful execution, are its violators, and are blind or indifferent to its violation by others, is also but too well known. This is indeed a sad commentary upon the law and subject under consideration, and demoralizing to the citizens generally, as tending to lessen proper regard, if not to create contempt, for all laws.

By some it is claimed that the penalties provided for the violation of the law are too severe; by others that they are not severe enough; by others, that the administration and execution of the law is lax; and by others, that the trouble lies in the *subject*, and that the law does not have the support and approval (as a prohibitory measure) of the people. I do not assume to myself that degree of wisdom requisite to solve these questions, or to point the way to a solution of them, further than to call your attention and consideration to the distance, the shifting, the maneuvering, the display of ingenuity and the escapes between a first and second conviction under the law; and, to say, if it is the sentiment of the people at large, that this law, or the laws on this subject, should be treated and made to operate as a prohibitory law in fact as well as in name, rather than to operate as a license law, the end desired would be nearer reached by so amending the law that the penalty provided for a first conviction should include a short term of imprisonment as well as a fine.

There is no occasion for apology for calling your attention to this

subject at such length. Its paramount importance cannot be overstated; and there is no subject about which the thoughts of the people are so much exercised, and upon which so much depends the public weal, or which will more demand your attention and consideration, during the session.

The treatment of this subject is especially within your province, and any proper legislation in the direction of curing or abating the evil of intemperance will have my personal approval and official sanction.

#### AGRICULTURE.

It has well been said that upon this interest all others largely depend. And, with the fact before me that a very large portion of this presence have been life-long students in the school of practical husbandry, I may, I assume, be justly excused from advising, or even suggesting, what ought, or what ought not, to be done for the advancement of this subject.

While it is true, as to this state at least, that upon this all other interests and industries largely depend, it is true, as a general proposition, that whatever tends to truly and permanently aid or advance the one will have a prosperous effect upon the others. And while the agricultural interests of the state have many and varied just demands upon you, by way of providing and disseminating instruction and information, by furnishing various aids to progress and advancement, and by removing and preventing the growth of obstacles and hindrances—all of which I trust will be acceded to and provided for—yet the greatest grievances can be redressed and the heaviest burdens removed only by national legislation. And this applies to other industries as well as to this, and naturally suggests the propriety of a legislative reminder and appeal to our congressional delegates to strengthen their hands and increase or encourage their zeal in their efforts to secure relief through the enactment of what is known as the interstate commerce bill, and in their resistance to the further modification or repeal of the tariff laws, by which several of the industries of the state have already suffered severely, and by which their existence is now jeopardized.

Although commented upon elsewhere, I desire here to call your attention to the report of the trustees of the state agricultural college, and especially to the subject of providing for this department of the state university an experiment station. Such a department properly equipped and liberally sustained would, if I judge correctly, meet and provide for a want of long standing and of vital consequence to the agricultural interests of the state. The tillers of the soil in the East, in their competitive race with those of the West, in their efforts to live and thrive are at a great disadvantage in many respects and may well call to their aid the service of intelligent and scientific experiments. I feel assured that you will find the report referred to of great interest.

## BOARD OF AGRICULTURE.

The report of the board of agriculture has not come to my hand and therefore I am unable to speak of its work. I am not aware what, if any, legislation is desired or desirable in the way of continuing the work of the board, or of giving it greater efficiency. The importance of the matters it has in charge, and is intended to promote, is so vital that you cannot fail to give its consideration a prominent place. I ask your careful attention to the suggestions of Governor Pingree on this subject. His familiarity with the doings of the board during his term of office and the manifest interest he has in the subject make his retiring words of such value as to secure from you that attention I have asked you to give to it.

## FISHERIES.

Impressed as I am that the propagation and protection of fish is a subject of great and growing importance to the people of the state, and that it is an interest deserving and requiring legislative aid and protection, I confidently call your attention to it, trusting you will give it such fostering care and oversight as will best promote the public good.

## HIGHWAYS.

This is a subject of such general interest that I feel more than warranted in calling your attention to it. The means provided for maintaining and repairing the highways of the state are liberal, and if properly expended, would undoubtedly be ample. I venture to say that greater abuses and short-comings have existed, been practiced, and in a measure submitted to, in connection with this department of public duty than of any other. This was the natural, and perhaps unavoidable, result of the so-called labor tax practice—an easy way to pay or avoid payment of the tax, but grossly inadequate in results. The public generally are to be congratulated that this inadequate way of performing a public duty has no longer the sanction of law. I am pleased to be able to say as a result of observation, extended inquiry and common report, that the present condition of the highways throughout the state is as a whole, very satisfactory, except as shown by very general complaint that the duty of erecting or constructing barriers or safeguards at points and places of special danger to travelers is very generally disregarded. Should your understanding of the matter be in accord with this alleged fact, I suggest the propriety of so amending the law in that respect as to impose a liability for damages upon towns, as is now provided for insufficient bridges, culverts and sluices. As was said by one of my predecessors—*ex-Governor Farnham*—“towns should be required to keep their highways in a safe condition.”

My attention has been called to the proposition to so amend the laws as to provide (as was formerly the case) that towns should be liable in damages to parties injured or damaged by reason of *any* insufficiency of highways, but I am not prepared to say that this

would be wise legislation, and cannot, therefore, advise that towns should be further liable than under the present law, except as contingently expressed above. Frequent changes in general laws should not be encouraged.

In the further consideration of this subject, I call your attention to act No. 11 of the session laws of 1884, entitled "an act relating to highways and bridges." After having considerable familiarity, professionally and officially, with this act and its workings in its present form, I am led to characterize it as an instance of loose legislation on an important and meritorious subject. If it is to remain in its present unguarded form, it might well be commented upon and considered under the head of "state expenses," and its title changed to that of "an act to test the capacity of the state treasury." The end sought by the framers and promoters of the act in question was, I have no doubt, a just one, the object being to *equalize* the important and imperative public burden of building and maintaining highways. Excepting a comparatively few towns, I am convinced that there is no such unequal burden as to justify a call for state aid. The temptation offered to towns by the unguarded provisions of this act, to bring themselves within its terms is very great, and it is, I submit, in its present form liable to so much abuse as to demand amendment, or, failing in that, repeal.

In this connection, I desire to call your attention to what I believe to be a fact, that there is in the state a class of so-called mountain towns, through which pass main highways, used largely by, and indispensable for, through travel, not unfrequently mail routes, and expensive to keep in repair. Many of these towns are overburdened and unjustly so in keeping these highways in the passable and safe condition demanded by the public and required by law. Such towns usually have but a small grand list, their land being of little value compared with other towns, and their people poor in purse. I submit that for such or similar instances of plain and unquestionable inequality of this public burden as to such through lines of travel, remedial legislation, properly guarded, should be had.

#### THE MILITIA.

The National Guard of Vermont consist of one regiment of infantry—ten companies—531 officers and enlisted men, and one separate or detached company of infantry at Newport, of 51 officers and enlisted men; one light battery—four twelve pounder Napoleon or brass guns—located at Brattleboro, and when full numbering 80 officers and men; and one "section of battery"—two six-pounder brass guns—located at Northfield and organized from the students at Norwich University.

To be of any practical efficient use, the force cannot well be less. I am however, unable to concur with the adjutant and inspector-general in his recommendation that it be increased, but the views of General Peck on this subject, expressed in his report, merit your careful consideration, and their source should give them great weight.

The character and efficiency of the National Guard is now excellent and reflects great credit upon both officers and men, and they are entitled to, and should have, our thanks for so fully and creditably meeting that constitutional declaration that "a well-regulated militia is necessary to the security of a free state."

Efficiency of the guard is secured and maintained by the expenditure of much time, and, in the aggregate, of a large pecuniary outlay by both officers and men, not re-imbursed by the state. And wanting in efficiency in any large degree, the existence of a militia is would be of more than doubtful expediency and its expense a waste. The militia is expected and required to be always ready to serve the state, and to respond with alacrity to the call of the commander-in-chief, and is the chief and final reliance of the state in times of public peril, when the arm of the civil authority is paralyzed or overcome by unusual emergencies in state or nation. That they may not be needed is the earnest wish of all; that they may never be wanting in disposition to respond, in personal efficiency, or in serviceable arms and suitable equipment, is equally desirable and important.

We are told that, while the *personnel* and the drill of the guard is excellent, its *arms* are substantially worthless, and I submit if they are as worthless as represented, they would in time of need and peril be more dangerous to the command than to the opposing force; and it is said that, in other minor respects, they are very poorly equipped. This should have prompt attention. The arm that the soldier is required to bear is either his pride or his shame, as it is serviceable and satisfactory, or otherwise. And I recommend that provision be made for such change or renewal of the arms and equipment of the guard as to secure the highest degree of efficiency, and such as will satisfy and promote the commendable pride of our citizen soldiers.

The reports of the adjutant and inspector-general and quartermaster-general will be before you, in which many minor matters in reference to the militia are set forth and commented upon in detail. These reports merit, and I trust will have, your attention. In these reports, the Light Battery is referred to and denominated "Fuller's Battery," not particularly because it is commanded by Captain Fuller, but chiefly and properly because the efficiency of the organization is largely due to the intelligent attention and generosity of Captain Fuller. This has been long continued, unostentatious and unselfish and deserves this public official recognition.

#### UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The University of Vermont, bearing as it does the name of our commonwealth, and, without disparaging any other, being the leading institution of learning in the state, as well as for other good and substantial reasons, must and should be the subject of lively interest to the thoughtful people of the state; and any needed aid would in my opinion be well directed and deserved, if bestowed upon it.

The real and abiding prosperity of a state or community can be correctly measured by its means, provisions and interest for and in the cause of education and intelligence. I am happy to report that the university is in the enjoyment of liberal patronage and is prosperous. It has, as you know, been richly remembered in the past by the generosity of the late John P. Howard and of Mr. Frederick Billings, by which the state at large, as well as the institution, has been greatly benefited. Too much commendation and gratitude cannot well be bestowed for these acts of public generosity in the cause of refined and higher education.

But, with these lavish gifts and the expenditure of them as directed by the donors and the construction and completion of the work to which they were especially directed, comes to the university new and enlarged duties, increased and increasing expenses. Several of my honored predecessors have in their messages to the general assembly made eloquent appeal and earnest recommendation that the state should render to the university pecuniary assistance to encourage and strengthen its hands in the noble work of human advancement. I am pleased to call your attention to these appeals and recommendations, with my approval. The cause of the higher education would be thereby aided and encouraged, and also of education generally. As has been well said by one of the most earnest and intelligent friends and supporters of the common schools of the state, "Our common or public school system can be lifted from above more effectually than it can be pried up from below."

Under the head of "state scholarships," the trustees in their report point the way to a mode or method that might well be adopted by the state to assist and advance the interests of the university, and at the same time "furnish assistance to gifted and ambitious young men of limited means." These suggestions are worthy of your earnest consideration.

The State Agricultural College is a part of the University of Vermont and made so by an act of the legislature of this state, approved November 9, 1865. It is sustained by the income of a fund given to the State of Vermont by the general government, by virtue of an act of congress, approved July 2, 1862. And this act provides that the income of this fund shall be used for the support of at least one college. "where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are *related* to agriculture and the mechanic arts, in such manner as the legislatures may respectively prescribe in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."

As bearing more particularly on this department of the university, I solicit your careful attention to that portion of the report of the trustees under the head of "Professor of agriculture" and "The farmer's class," and also to that portion of their report that consists of a statement by Prof. W. W. Cooke as to the work in this department. The report as a whole is replete with matters of more than



usual interest, and I bespeak for it more attention than is usually bestowed upon official reports. I have always referred to the subject of an experiment station, a subject dwelt upon by the trustees in their report. To the end that this subject may have due attention and consideration, I beg your indulgence in again soliciting your attention to it and also to the entire report.

The terms of office of Hon. Justin S. Morrill, Hon. E. P. Walton and Henry James, M. D., of the trustees, will expire on November 15, 1887, and it will be incumbent upon you to elect their successors.

#### RAILROAD COMMISSIONER.

In compliance with the requirements of law, the railroad commissioner has made his report, and I invite your careful inspection of it for the ascertainment of many details pertaining to one of the leading and important—and in some respects, the *most* important—interest of the state.

As part of his report, the commissioner says, "In my judgment some additional legislation is required in order to make the office of the railroad commissioner of practical use to the public;"—implying, at least, that this office, under existing laws, is of no practical service to the public. This conclusion is doubtless in accord with the popular sentiment on the subject but I am unable to fully adopt the proposition. The report of our able commissioner is in my opinion of great value, and this office has secured it to you. This much, at least, has been gained by and through the office.

Under existing laws prescribing the duty of the commissioner he is required to "report what further legal provision should in his opinion be adopted in relation to railroads." In the performance of his duty in this behalf, the commissioner makes several important suggestions, which may be properly treated as recommendations, and in view of their official source, they are entitled to great weight, and merit, and I doubt not will have, your earnest consideration.

In connection with, and as a part of this subject, I call your attention to the not unvexed one of

#### RAILROAD LEGISLATION.

There has been much legislation in reference to or connected with this subject of railroads, mostly, however, I venture to say, in aid or protection of them, yet in the main, necessary, wholesome and just. The idea that at this time there is occasion for further legislation on the subject, and that, too, in the interest of the public, prevails very generally. And by consulting the report of the commissioner, you will notice that his suggestions or recommendations are numerous and important. This report did not come to me until very late; consequently my opportunity for consideration of it has been quite insufficient to enable me to do more than call your attention to it, and to impress upon you its importance. Should you so legislate as to meet the recommendations of the commissioner, you will, in my opinion, accomplish much towards meeting the proper demands of the public. These recommendations have my approval.

But it is said that further legislation on this subject cannot be effective save by creating a

#### RAILROAD COMMISSION

and investing it with enlarged powers and authority over railroad affairs, even to the extent of fixing and regulating the toll or rate of transportation. And I believe that the object and ends of further desirable legislation can be best secured through a commission, and that the existence of a commission invested with such powers and authority as are given to like boards in several of the states—Massachusetts and New York for instance—would go far towards curing or removing all real or fancied grievances. And experience in other states has demonstrated that where competent commissioners, properly empowered, have made examination as to alleged grievances, and upon finding them real and well-founded, have made such recommendations to the railroads complained of as the board deemed called for, there has been, with rare exceptions, a prompt and ready compliance with the recommendations of the board, and this too, where the board is powerless to enforce its recommendations.

The commission, if one should be created by your legislative action, should doubtless be empowered and required to report to future legislatures, as to all complaints received, examinations and recommendations by it made, and also what, if any, further legislation is required.

Another question about which there is some diversity of opinion, is: Should the commission have power given it to apply to the courts for the enforcement of its recommendations? In my opinion, such power should not be given without providing that the court applied to shall not enforce such recommendations, unless, or only so far as it (the court) shall find them just and reasonable. That the legislature has power in the premises to the extent suggested I have no doubt, but this alone is no reason for exercising it.

While I believe that the interests of the public require legislative action in the direction above suggested, I feel certain that many of the honestly-entertained grievances of the people against our railroads and their management are not well founded, and that some of the most important of their complaints cannot be successfully reached short of, or without, national legislation, such as was sought through the interstate commerce bill. In confirmation, I quote with pleasure from the message of my accomplished predecessor, ex-Governor Barstow. He said upon this subject: "No board or legislature can reach outside the state, and much that is wrong in these matters is the result of the great national and continental system, controlled by immense and consolidated wealth, a system in which Vermont roads are as a drop in a bucket, a link in a chain. It is a power so great that small corporations, like those in Vermont, are forced to join or strengthen it or perish."

Legislation on this subject by you will be, I am sure, entered upon and considered without any feeling of antagonism. Our rail-

roads are managed and controlled, perhaps without exception, by some of our most public-spirited citizens, men as zealous and earnest in whatever promises to be for the good of the state, as any, and who are thoroughly loyal to her every interest.

#### TRUSTEE PROCESS.

My attention has been called to act No. 130 of the session laws of 1884, and, in turn, I call your attention to the same; and ask you to consider if the public good does not require the repeal of this act, or such legislation on the subject as will better accord with a liberal and humane disposition toward the debtor class.

#### GETTYSBURGH.

The battle of Gettysburgh was fought on the first, second and third days of July, 1863, and it has come to be considered as the pivotal battle of the war. Its field was, as it were, in front of and at the very portals of the nation's capital and of the gates of the large cities of the North. The results of this battle were more than glorious to the Union cause. The army of Northern Virginia under Lee was then and there turned back, routed and defeated, never again to make or undertake an aggressive campaign. And in the results of that battle was buried the last hope of the confederates of foreign intervention; and in the possible realization of that hope lay the greatest danger to the Union. Thence on to Appomatox there was scarcely a doubt as the final result.

The intrepidity, the valor and the blood of the Union army at Gettysburgh went very far towards placing the seal of ultimate success and safety upon the national banner; and of all that noble Union army of about eighty thousand men, none bore a more valiant or significant part than our own brave boys—the three regiments that were in action, of what was best known as “Stannard's Brigade.” My words are entirely inadequate to fitly portray their valor then and there displayed, and I need not here undertake to tell you further of the potency and importance of their action. It will suffice for me to say that historians and accredited writers give great prominence and credit to the part taken by “Stannard's Brigade.” Many of our sister states have erected on this field of blood monuments to mark the spot or place and to commemorate the valor of their sons. I am credibly informed that there now are on this field nearly or quite a hundred monuments and tablets. In April last, the State of Ohio by an act of its general assembly authorized and made provision for the “erection of suitable memorials and monuments commemorative of the deeds of the soldiers from Ohio who fought on this battle field,” at an expense of about \$25,000. And inquiry has been made from within and without the state why Vermont has not and does not there erect such monuments.

The noble Stannard who there won imperishable honors as the commander of the organization, and two of the three regimental commanders, Colonels Randall and Nichols, have, as you know, been

finally mustered out, and only Colonel W. G. Veazey remains of the commanding officers to point out the spot and tell the story.

I recommend that liberal provision be made for the early erection of a suitable monument on the battle field of Gettysburgh, to mark the spot where the soldiers of Vermont rendered such signal service to state and nation, that it may not become a matter of doubt and to commemorate and perpetuate their patriotism and valor.

#### BENNINGTON BATTLE MONUMENT.

To avoid repetition, I ask your indulgence and request you to look to the retiring message of my predecessor for a history of this patriotic undertaking. Looking to this source you will find, I assume, reasons sufficient to prompt on your part any proper action that will tend to forward the work and hasten its completion.

I am informed that a site for the proposed monument has been agreed upon and selected by the association. It is also represented that in order that the work may go on without delay, further legislation is necessary in the direction of securing to the association or to the state a legal title to such land as may be required for a site. I trust that you will give this matter such consideration as is necessary, and that you will have in mind the fact that the patriotism of the state is somewhat involved in this seemingly sluggish enterprise.

#### UNITED STATES SENATOR.

It will be your duty, and to which I invite your attention, to elect a United States senator from this state to succeed the Honorable George F. Edmunds, the present incumbent, whose term of office will expire on the 4th day March, 1887.

The laws of the United States providing for the election of senators require that this election should be made on the second Tuesday of of the session.

#### CONCLUSION.

Gentlemen: In conclusion, I am moved to again impress upon you the importance of the duties that devolve upon you as the chosen representatives of the people; and to earnestly request you to bear in mind how desirable and consequential it is that you should as early as possible enter upon the practical work of the session. Heretofore much complaint and many murmurings have been heard because of frequent adjournments. This practice should not be encouraged. Intended measures of legislative action and consideration should be matured and presented as early in the session as possible, and be supplemented by as much dispatch of business as is consistent with that care and caution necessary to secure correct and wise results. This course of action can be best secured by giving to our business here the same industry, watchfulness and faithful service and attention that we give to important affairs at home.

EBENEZER J. ORMSBEE.

EXECUTIVE CHAMBER,  
MONTPELIER, VT., Oct. 7, 1886. }

The Governor having concluded the reading of his communication withdrew, and the joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
Clerk.

IN JOINT ASSEMBLY, }  
October 14, 1886, 3 P. M. }

The senate and house of representatives met in joint assembly in the hall of the house of representatives, in pursuance of a joint resolution which was read by the clerk, and is as follows:

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly at three o'clock in the afternoon on Thursday, October 14th, instant, to hear the report of the joint committee appointed to canvass votes for representatives in congress.

His Honor, LEVI K. FULLER, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

The joint canvassing committee submitted a report, which was read by the clerk, and is as follows:

TO THE JOINT ASSEMBLY NOW IN SESSION:

The committee appointed to canvass the votes for representatives in congress, given at the September election, A. D. 1886, having attended to their trust, respectfully report:

That they have received, sorted and counted the votes for representatives in congress from the several congressional districts in the State of Vermont, and find the whole number of votes cast to have been:

In the first congressional district,	21,551
Necessary for a choice,	10,776
Of which John W. Stewart had	15,632
Waldo Brigham had	5,655
T. H. Brown had	158
Scattering,	106
Majority for John W. Stewart,	9,713

And agreeably to constitutional provisions, we hereby declare John W. Stewart, who received a major part of the votes, to be representative in the congress of the United States from the first congressional district of Vermont, from the two years from and including the fourth day of March, A. D. 1887.

In the second congressional district,	26,922
Necessary for a choice,	13,461
Of which William W. Grout had	18,685
Harley E. Folsom had	8,176
C. L. Louis had	56
Scattering,	5
Majority for William W. Grout,	10,448

And agreeably to constitutional provisions, we hereby declare William W. Grout, who received a major part of the votes, to be representative in the congress of the United States from the second congressional district of Vermont for the two years from and including the fourth day of March, A. D. 1887.

HENRY C. BATES,

*Chairman of the Canvassing Committee.*

Montpelier, October 14, 1886.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
*Clerk.*

IN JOINT ASSEMBLY, }  
October 15, 1886, 11 A. M. }

The senate and house of representatives met in the hall of the house of representatives, in pursuance of a joint resolution, which was read by the clerk and is as follows :

*Resolved by the Senate and House of Representatives,* That the senate and house of representatives meet in joint assembly on Friday, October 15th, at eleven o'clock A. M., to hear the report of the canvassing committee appointed to canvass votes for county and probate officers and justices of the peace.

His Honor, LEVI K. FULLER, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

Senator Blake of Orleans county, chairman of the canvassing committee, submitted a report, declaring the following named persons to be duly elected to the offices annexed to their names, respectively, for the term of two years from and including the first day of December, A. D. 1886 ;

Which was read by the clerk and is as follows :

## ADDISON COUNTY.

William S. Wright of Waltham, } *Assistant Judges of County*  
 Myron S. Platt of Shoreham, } *Court.*  
 Lyman E. Knapp of Middlebury, *Judge of Probate for District of*  
*Addison.*

John D. Smith of Vergennes, *Judge of Probate for District of New Haven.*

Charles M. Wilds of Middlebury, *State's Attorney.*

Howard Clark, 2d, of Lincoln, *Sheriff.*

Henry B. Ripley of Ripton, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ADDISON.**—Rector Gage, Asabel Barnes, Stukely W. Smith, Charles Merrill, Carleton R. Smith.

**BRIDPORT.**—Nathan S. Bennett, Julius J. Crane, Franklin A. Williams, Sheldon Smith, Henry Nichols, Wm. R. Braisted, Edwin R. Wilcox.

**BRISTOL.**—William E. Dunshee, Datus R. Gaige, Thomas S. Drake, John R. Kilborn, Oliver Moody, Alfred Ferguson, Robert A. Young.

**CORNWALL.**—W. Harrison Bingham, Charles H. Lane, Charles Benedict, Lyman W. Peet, Alverton S. Bingham, Isaac L. Eells, Franklin Hooker.

**FERRISBUUGH.**—Allen P. Beach, Putnam Allen, John P. Kenyon, Jabez W. Rogers, Charles H. Mallory, Byron W. Field, Reuben Parker.

**GOSHEN.**—J. C. Hooker, Nathan Capen, J. L. Jones, Arnold Ayer, H. W. Camberlin.

**GRANVILLE.**—Lucius Webb, Jr., R. J. Flint, E. Briggs, H. P. Hayse, E. L. Jewett.

**HANCOCK.**—George V. Wilson, Titus Hutchinson, Charles M. Robbins, Asa E. Whitney, John H. Andress.

**LEICESTER.**—Otis H. Capron, H. Cortez Brownson, Leslie A. Severy, Miles O. Oliver, Lewis C. Needham.

**LINCOLN.**—Milton J. Stearns, Stephen M. Colby, C. G. Butterfield, Watson Morgan, Moses B. Gove, Irvin A. Colby, Ira W. Wakelield.

**MIDDLEBURY.**—Loyal D. Eldredge, Edward J. Matthews, Henry L. Sheldon, Henry D. Maynard, Lyman E. Knapp, James E. Stapleton, Amasa S. Tracy, Henry Grant, Lewis Russell, Jesse Stearns.

**MONKTON.**—Hlrenus P. Stillson, Burley W. Bidwell, Lewis L. Beers, Henry R. Baldwin, Charles H. Stone, Orton T. Barnum, Henry H. Stillson.

**NEW HAVEN.**—Mills J. Landon, Warren Peck, Edson A. Doud, Nelson W. Partch, Maylon L. Taylor, Samuel S. Wright, Edward G. Hunt.

**ORWELL.**—R. F. White, C. E. Bush, S. N. Warren, R. D. Hall, E. M. Wright, R. E. Brown, Gldeon Abbey.

**PANTON.**—Corydon S. Harris, William E. White, William H. TenBroeke, Emerson Holland, Loyal Kent.

**RIPTON.**—H. Q. Spoor, W. S. Huntley, George J. Hodge, W. R. Newton, William Galvin.

**SALISBURY.**—Dascomb E. Gibson, Samuel P. Nash, Eugene A. Hamilton, William Deming, William R. Ellis.

**SHOREHAM.**—Myron Platt, Kent W. Merritt, Jerry H. Leonard, William N. Platt, Edson G. Farnham, Irvin B. Rich, Gustavus A. Cutting.

**STARSBORO.**—Warren B. Thompson, Albert Orvis, Samuel Lamb, O. D. Baldwin, Daniel Hill, Charles Tyler, Sylvanus Hill.

**VERGENNES.**—Fred. E. Woodbridge, Cyrus A. Booth, Myron T. Bristol, George W. Grandey, John E. Roberts, Orrin C. Dairymple, J. Warren Barnes.

**WALTHAM.**—W. S. Wright, W. R. Bristol, Solon Burroughs, David Hare, A. D. Everts.

**WEYBRIDGE.**—A. D. Hayward, Martin E. Sprague, L. S. Wright, J. F. Colton.

**WHITING.**—Allen Keicham, George S. Walker, Daniel Holmes, Asabel N. Hubbard, William W. Needham.

Your committee further report that the town of Weybridge is entitled to five justices of the peace. Four only were elected, and that G. L. Harrington and F. E. Stewart have received the next highest and each an equal number of votes.

Whereupon, on nomination of Mr. Britell of Weybridge, F. E. Stewart was duly elected a justice of the peace within and for the county of Addison, resident in Weybridge, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

## BENNINGTON COUNTY.

Faxon L. Bowen of Readsboro, } *Assistant Judges of County*  
 Charles A. Sherman of Rupert, } *Court.*  
 Edward L. Sibley of Bennington, *Judge of Probate for District of*  
*Bennington.*  
 Loveland Munson of Manchester, *Judge of Probate for District of*  
*Manchester.*  
 Edward L. Bates of Bennington, *State's Attorney.*  
 James L. McCall of Rupert, *Sheriff.*  
 Trenor P. Harbour of Glastenbury, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ARLINGTON.**—C. B. Viault, A. H. Judson, Nelson Holden, G. M. Brownson, B. W. Safford, H. M. Farnham, F. B. Eddy.  
**BENNINGTON.**—E. D. Fillmore, Charles W. Benton, Samuel Keyes, Thomas White, Francis Gulltinane, Edwin S. Chaudler, Emery S. Harris, Edward Rice, L. V. Newton, E. C. Houghton, M. W. Stewart, E. W. Howe, Edward Walbridge, Charles H. Rockwood, J. E. Gibson.  
**DORSET.**—Austin Ladd, H. G. Harwood, John B. Mawley, Elijah M. Torrey, Sherman Nichols, William H. Beebe, James Cody, Edward Young, John E. Buffum, A. B. Armstrong.  
**GLASTENBURY.**—Norman Matteson, E. A. McDonald, Nelson Matteson, Truman T. Eiwell, Trenor P. Harbour.  
**LANDGROVE.**—W. H. Landfear, J. H. Bolster, A. D. Reynolds, W. W. Wiley, D. W. Marden.  
**MANCHESTER.**—R. W. Dean, E. M. Provan, E. B. Smith, Theodore Swift, L. D. Coy, H. K. Fowler, F. W. Cook.  
**PERU.**—J. C. Lakin, C. M. Russell, M. B. Lyon, M. J. Hapgood, Ira R. Walker.  
**POWYAL.**—C. A. Paddock, E. R. Stillman, S. J. Gardner, Othniel Towselee, Orren Bates, J. B. Myers, E. J. Barber, William K. Blanchard, J. W. Wright, D. F. Bates.  
**READSBORO.**—Elliott B. Fuller, Faxon L. Bowen, Solomon R. Carpenter, Orlando V. Bennett, Anson B. Cross.  
**RUPERT.**—George R. Thompson, Frank W. Carpenter, John J. Jenkins, Thomas S. Beebe, Weston Prindle.  
**SANDGATE.**—James M. Provan, W. S. Bentley, William J. Hamilton, A. V. Turner, C. R. Woodard.  
**SEARSBURGH.**—George J. Bond, Allen Briggs, A. J. Johnson, T. Canedy, D. R. Cutler.  
**SHATSBURY.**—Myron Barton, Russell Stone, William P. Mattison, Nathan Bottum, George E. Huck, P. A. Mattison, Solomon Howard.  
**STAMFORD.**—Slias W. Webster, Moses L. Crosier, Francis L. Campbell, Obed Hall, Dexter Smith.  
**SUNDERLAND.**—J. M. Gregory, J. R. Mallory, Horatio N. Buck, George Carey, Henry S. Burt.  
**WINHALL.**—Joshua Barnard, William D. Leonard, Jonas Hill, Artemus W. Prouty, Austin P. Graham.  
**WOODFORD.**—Myron H. Woodward, James F. Smith, George W. Bickford, Cornelius E. Walker, Steven M. Bolles.

## CALEDONIA COUNTY.

Jacob G. Hovey of St. Johnsbury, } *Assistant Judges of County*  
 Cloud Harvey of Barnet, } *Court.*  
 Walter P. Smith of St. Johnsbury, *Judge of Probate.*  
 Alexander Dunnett of St. Johnsbury, *State's Attorney.*  
 Lorenzo Sulloway, Jr., of St. Johnsbury, *Sheriff.*  
 Josiah S. Kenerson of Barnet, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BARNET.**—A. D. Mason, F. A. Mason, Peter Lindsay, W. H. Burbank, Moses Giffilan, H. R. Robie, John H. Currier.  
**BURKE.**—Charles T. A. Humphrey, Charles A. Harris, Theron Bell, Marshall W. Stoddard, Wendell Sibley, Julius A. Humphrey, Allen R. Byoyce.  
**DANVILLE.**—William J. Stanton, John Sias, Moses M. Batchelder, John L. Frye, George W. Cook, Charles D. Brainerd, Harvey Burbank, Charles Witsom, Lyman Stevens, Martin V. B. Sargent.  
**GROTON.**—J. R. Darling, T. B. Hall, Martin Weld, B. F. Clark, A. P. Renfrew, A. M. Heath, Horace C. Clark.



**HARDWICK.**—Henry Perley, Z. R. Huntley, Dorman Bridgman, Joel R. Ainsworth, D. S. Chubb, J. B. Livingston.

**KIRBY.**—E. W. Church, P. H. Graves, Henry Ranney, Austin Barney, Alden Russell.

**LYNDON.**—Isaac W. Sanborn, C. M. Chase, A. O. Harris, J. S. Thompson, J. W. Burrington, Rufus Young, George M. Park, C. K. Hubbard, Horace Baxter, D. S. Winter.

**NEWARK.**—Charles H. Hall, D. D. Fairbanks, D. F. Johnson, W. G. Cheney, S. B. Corliss.

**PEACHAM.**—Leonard Welch, Frank E. Palmer, John Varnum, Jr., L. Strobbridge, Paul F. Ferguson, J. C. Guthrie, Loren Chase.

**RYEGATE.**—James White, Alexander Cochran, Thomas Nelson, M. R. Gray, Alexander McCole, Corwin Whitehill, W. N. Gillilan.

**SHEFFIELD.**—Aaron Gray, C. B. Simpson, J. S. Chesley, William Dexter, Waldron Brown.

**ST. JOHNSBURY.**—Pearl D. Blodgett, Lafayette Soper, Walter P. Smith, David Trull, Nathan P. Bowman, Deios M. Bacon, Edward E. Sargent, Albert Worcester, E. L. Hovey, Nathan M. Johnson, Daniel Carpenter, Benjamin F. Rollins, O. P. Bennett, George Babcock, Ira G. Smith.

**STANNARD.**—Benjamin F. Chamberlain, Henry C. Stevens, John N. Sawtell, Edwin H. Patch, E. W. Clark.

**SUTTON.**—C. W. Willey, J. E. Willard, L. W. Gordon, George E. Powers, Reuben Ellis.

**WALDEN.**—Orvis Fitts, B. F. Taylor, Harvey Foster, Sereno Montgomery, Curtis Stafford.

**WATERFORD.**—E. A. Parks, J. W. Curtis, H. M. Parks, Charles Ross, W. G. Stiles.

**WHELOCK.**—Charles Rogers, Joseph Patch, J. G. Gray, William Bean, Ferdinand Darling.

### CHITTENDEN COUNTY.

John E. Smith of South Burlington, } *Assistant Judges of County*  
 Timothy W. R. Nichols of Essex, } *Court.*  
 Torrey E. Wales of Burlington, *Judge of Probate.*  
 David J. Foster of Burlington, *State's Attorney.*  
 Joseph Barton of Charlotte, *Sheriff.*  
 Solomon H. Macomber of Westford, *High Bailiff.*

### JUSTICES OF THE PEACE.

**BOLTON.**—Thomas McGinnis, Noah Preston, Henry Stackpole, Harley E. Tomlinson, Elijah H. Sabens.

**BURLINGTON.**—Leverett F. Englesby, Charles E. Germain, Greene D. Wells, Henry Ballard, Chauncey W. Brownell, George W. Wales, Julius W. Russell, James E. Russell, Arsene Nantelle, William H. Hare, Hamilton S. Peck, Charles J. Alger, Elliot M. Sutton, Oliver DeVareunes, James W. Madigan.

**CHARLOTTE.**—A. W. Sherman, W. W. Higbee, D. W. Hazard, W. W. Langdon, H. C. Leavenworth, A. A. Byington, George W. Varney.

**COLCHESTER.**—J. W. Lavigne, Willard Thayer, M. E. Douglass, E. O. Johnson, A. O. Hood, R. J. White, W. B. Macrae, Alphonse Dubuc, Samuel Bigwood.

**ESSEX.**—T. W. R. Nichols, L. C. Butler, Edwin Andrews, S. A. Brownell, Lysander Woodworth, P. C. Abbey, J. K. Warner, M. H. Humphrey, W. J. Beach, M. L. Snyder.

**HINESBURGH.**—J. H. Allen, N. R. Miles, C. G. Peck, John Edwin, Charles Murray, J. S. Baker, O. A. Mead.

**HUNTINGTON.**—Byron Brewster, Warham Brewster, George Conger, Isalah L. Strong, Harry Ross.

**JERICHO.**—A. B. Somers, S. S. Thomson, E. C. Fay, W. A. Lee, N. S. Ransom, A. B. Simonds, H. H. Howe.

**MILTON.**—B. Fairchild, P. A. Boothe, George Ashley, S. M. St. John, Lester Rice, R. S. Lincoln, J. W. Filin, J. W. Brown, E. Reynolds, A. B. Caswell.

**RICHMOND.**—Salmon Green, Ira W. Sayles, Samuel F. Cutler, Salmon F. Andrews, Frederick F. Gleason, Thomas Leonard, Henry R. Norton.

**SHELBURNE.**—Robert J. White, Walter A. Weed, Curtis L. Page, J. V. S. Meack, Norris R. Miller, James B. Sutton, Benjamin Harrington.

**SOUTH BURLINGTON.**—John E. Smith, George A. Sheldon, George W. Gero, Edward W. Brownell, Fred. N. Drury.

**ST. GEORGE.**—Edgar Hinsdill, Hiram H. Tiller, Norman N. Isham, Orin Turrill, Henry Lawrence.

**UNDERHILL.**—S. M. Mead, Abraham Marlow, L. Brown, Charles Cady, F. Barrett, L. Dickinson, W. S. Woodruff.

**WESTFORD.**—A. C. Robinson, Alney Stone, Albert Weed, R. M. Huntley, J. H. Macomber, Thomas B. Tyler, Seymour J. Parker.

**WILLISTON.**—Charles D. Warren, Hiram Walston, Enos W. Taft, George Whitney, Thomas Johnson, R. E. Brown, William Barber.

Your committee further report that the town of Colchester is entitled to twelve justices of the peace. Nine only were elected, and

that A. R. Robertson, W. A. Graves, George M. McBride, and (J. F. Day) have received the next highest and each an equal number of votes.

Whereupon, on nomination of Mr. Platt of Colchester, W. A. Graves and A. R. Robertson and G. L. McBride, were only elected justices of the peace within and for the county of Chittenden, resident in Colchester, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

### ESSEX COUNTY.

Edwin R. Turner of Concord,	} Assistant Judges of County Court.
William Morrill of Canaan,	
David H. Beatty of Maidstone,	<i>Judge of Probate.</i>
Zophar M. Mansur of Brighton,	<i>State's Attorney.</i>
Abner H. Bonett of Brighton,	<i>Sheriff.</i>
Charles Green of Canaan,	<i>High Bailiff.</i>

### JUSTICES OF THE PEACE.

**BLOOMFIELD.**—Hiram S. Bartlett, Henry W. Burbank, Byron L. Blodgett, William R. Silver, John E. Bowker.

**BRIGHTON.**—Nathan Hobson, E. J. Parsons, Thomas White, W. R. Rosebrook, S. D. Hobson, Jason Currier, George Fitzgerald.

**BRUNSWICK.**—William H. Wait, David S. Austin, Daniel M. Smith, John D. French, Henry B. Gilbert.

**CANAAN.**—Harvey H. Lucas, Addison E. Frizzell, Fred J. James, John C. Haynes, George W. Hartshorn.

**CONCORD.**—B. F. Wadleigh, J. B. Wallace, L. C. Woodbury, Luther Russell, W. S. Howard, S. H. Kellogg, M. A. Parker.

**EAST HAVEN.**—Oscar T. Walter, Solomon S. Hudson, Jason D. Jenkins, William H. Bailey.

**GRANBY.**—Ethan P. Shores, Henry C. Wilcox, Allen M. Carpenter, Loren A. Shores, Francis A. Rice.

**GUILDHALL.**—Azro Burton, William H. Hartshorn, Charles G. Barrett, Elbridge G. Rosebrook, Ambrose A. Gray.

**LEMINGTON.**—Arthur T. Holbrook, Charles Cook, Barnard O'Neil, Edward Rowe, James Clark.

**LUNENBURGH.**—Charles W. King, William Chandler, Daniel Powers, William A. White, John W. Hartshorn, Levi Silsby, Stephen B. Powers.

**MAIDSTONE.**—J. H. Benton, Sumner Ross, Charles Stevens, Jr., E. W. Gotham, George B. McC. Rich.

**NORTON.**—Machel Griffin, Abial Chamberlain, George C. Felch.

**VICTORY.**—Daniel Colby, S. C. Clement, J. E. James, Henry Lee, H. B. Houston.

Your committee further report that the town of Norton is entitled to five justices of the peace. Three only were elected, and that L. F. Jones, W. H. Bishop and J. H. Harrington have received the next highest, and each an equal number of votes.

Whereupon, on nomination of Mr. Mansur of Brighton, L. F. Jones and J. H. Harrington were duly elected justices of the peace within and for the county of Essex, resident in Norton, for the term of two years from and including the first day of December, A. D., 1886, by a *viva voce* vote.

Your committee further report that the town of East Haven is entitled to five justices of the peace. Four only have been elected, and that John L. Hasford, William H. Campion and Adna W. Smith have received the next highest and each an equal number of votes.

Whereupon, on nomination of Mr. Campion of East Haven, Adna W. Smith was duly elected a justice of the peace within and for the county of Essex, resident in East Haven for the term of two years from and including the first day of December, A. D., 1886, by a *viva voce* vote.

## FRANKLIN COUNTY.

Silas P. Carpenter of Richford, } *Assistant Judges of County*  
 E. G. Deming of Sheldon. } *Court.*  
 Myron W. Bailey of St. Albans, *Judge of Probate.*  
 Stephen L. Hallinan of Highgate, *State's Attorney.*  
 Thomas B. Kennedy of St. Albans, *Sheriff.*  
 William Caldwell of Georgia, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BAKERSFIELD.**—W. A. Whitney, W. A. Giddings, S. O. Tillotson, C. B. Brown, J. N. Randall, S. G. Start, William Downey.

**BERKSHIRE.**—J. R. Stone, Daniel Moren, C. G. Thayer, Jonathan W. Leavens, Spencer Stanhope, Chester W. Searles, L. C. Leavens.

**ENOSBURGH.**—S. H. Dow, G. S. Fassett, W. W. Hutchinson, H. S. Wanzer, A. A. Kendall, C. F. Oviatt, G. Archambault, J. G. Jenne, Henry Bessey, O. Woodward.

**FAIRFAX.**—C. F. Hawley, C. T. Cilley, B. M. Ballard, J. E. Allen, F. A. Wood, M. O. Perham, Jude Fairman.

**FAIRFIELD.**—Daniel Leach, Moses Elwood, H. A. Soule, John Rooney, John McQueeney, W. H. Morey, H. S. Dimon, M. W. Isham, R. Sturtevant, I. N. Chase.

**FLETCHER.**—Judson B. Leach, Albro Rugg, James H. Patch, Charles B. Parsons, Don. H. Chapman.

**FRANKLIN.**—E. H. Cleveland, Philo Horskin, James Randall, Arah H. Shedd, John H. Pierce, Jonathan Towle, A. L. Galusia.

**GEORGIA.**—E. L. Ladd, Hiram Cushman, Fred. W. Bliss, C. E. Gale, Hiram O. Pierce, Cephas A. Hotchkiss, H. M. Percival.

**HIGHGATE.**—E. C. Thompson, George L. Stinets, W. T. Cray, Warren Robinson, M. C. Clark, Calvin Drury, A. A. Spear, Colonel Dunton, C. S. Gates, Thomas O'Here.

**MONTGOMERY.**—Aaron Gates, Samuel N. Dix, Josiah B. Samson, Charles P. Clapp, Benjamin J. Wade, George L. Clapp, Rodney M. Johnson.

**RICHFORD.**—James G. Powell, Lewis Calkins, Ira H. Farrar, Leeman M. Durkee, DeForest W. Carpenter, Nathan F. Hamilton, Hobart N. Stanhope.

**SHELDON.**—A. S. Olmsted, W. S. Green, J. H. Stufflebean, B. A. Beatty, John Fish, Robert McLeod, C. H. Whittmore.

**ST. ALBANS.**—A. Tinker, James Halloway, C. D. Watson, William P. Walker, Morris Hoar, Prosper Mitchell, C. D. Rublee, H. C. Green, J. K. Dooling, B. C. Hall, A. C. Bingham, F. E. Bell, J. A. Bedard, G. N. Williston, D. H. Plaisted.

**SWANTON.**—J. S. Morrill, E. S. Meigs, C. F. Lawrence, S. W. Bliss, C. A. Crampton, H. Donaldson, J. M. Tabor, Jr., C. S. L. Leach, C. H. Reynolds, H. A. Burt, Jr., R. H. Barney, C. W. Rich.

## GRAND ISLE COUNTY.

Seneca H. Pike of Isle La Motte, } *Assistant Judges of County*  
 Stephen Hoag of Grand Isle. } *Court.*  
 Heman W. Allen of North Hero, *Judge of Probate.*  
 Elisha R. Goodell of Isle La Motte, *State's Attorney.*  
 Marcus O. Kenney of Grand Isle, *Sheriff.*  
 Juan Robinson of Grand Isle, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ALBURGH.**—Calvin W. Bell, George Bremmer, Allen B. Manning, Peter Vantine, Noel J. Powers, John Carle, Edwin H. Landon.

**GRAND ISLE.**—M. B. Corey, W. C. Hodgkins, W. C. Hoag, S. P. Gordon, E. Gordon.

**ISLE LA MOTTE.**—Henry H. Goodell, Jackson B. Carron, James D. Stevens, Harry J. Fleury, Seneca H. Pike.

**NORTH HERO.**—U. H. Hazen, O. P. Knight, B. L. Clark, F. J. Hazen, Elbridge Hutchins.

**SOUTH HERO.**—Henry W. Conro, Samuel Phelps, Tom Landon, Horace Wadsworth, A. E. Landon.

## LAMOILLE COUNTY.

Earl Guyer of Wolcott, } *Assistant Judges of County*  
 Adolphus M. Kelley of Elmore, } *Court.*  
 Russell S. Page, of Hyde Park, *Judge of Probate.*  
 Wallace H. Parker of Cambridge, *State's Attorney.*  
 James M. Parker of Hyde Park, *Sheriff.*  
 George A. Morse of Elmore, *High Bailiff.*

## JUSTICES OF THE PEACE.

*BELVIDERE.*—Oliver H. Potter, Realtus J. Brown, Alva J. Chaffee, Azro P. Brown, Luther E. Thomas.

*CAMBRIDGE.*—Henry Smith, Edwin R. Brush, John M. Safford, Daniel C. Walker, Levi L. Smith, Francis S. Edwards, Julius D. Safford.

*EDEN.*—Henry H. Newton, Edwin C. White, William Ober, Elbridge H. Stone, James E. Warren.

*ELMORE.*—Adolphus M. Kelley, Lyman E. Gale, Norman Camp, Wallace W. Delano, Joseph Camp.

*HYDE PARK.*—A. Parker Smalley, Adna V. Wiswell, James C. Crocker, Chester Holbrook, Russell C. Munson, Leonard F. Allen, Frank H. Strong.

*JOHNSON.*—B. L. Austin, L. H. Grow, David Holdridge, Isaac A. Manning, Charles Davis, Sewall Newton, Lewis J. Smith.

*MORRISTOWN.*—Orlo Cady, I. N. LeBarron, Luman Wheeler, Carlos S. Noyes, A. C. Hill, Martin Wheelock, L. S. Small, Azro Durkee, George Dyke, S. Harris.

*STONE.*—John W. Smith, Chandler Watta, Cassius P. Scribner, Salmon K. Weeks, Carlos N. Thomas, Truman B. Smith, George D. Robinson.

*WATERVILLE.*—George B. Thomas, Benjamin R. Houghton, Samuel R. Miller, Homer L. Beard, Moses McFarland.

*WOLCOTT.*—Henry P. Parker, Azro G. Andrus, Marcus D. Scott, A. Bertron Pike, D. D. Steeper, A. H. Keeler, C. N. Bailey.

## ORANGE COUNTY.

Cyrus U. Lathrop of Williamstown, } *Assistant Judges of County*  
 Caleb C. Sargent of Corinth, } *Court.*  
 Samuel M. Gleason of Thetford, *Judge of Probate, District of Bradford.*  
 William H. Nichols of Braintree, *Judge of Probate, District of Randolph.*  
 John H. Watson of Bradford, *States Attorney.*  
 Lyman P. Barron, of Washington, *Sheriff.*  
 Stephen B. Darling of Vershire, *High Bailiff.*

## JUSTICES OF THE PEACE.

*BRADFORD.*—J. H. Peters, E. R. Aldrich, Hiram W. Kimball, Arad Jenkins, J. A. Baldwin, T. R. Chamberlin, J. H. Jones.

*BRAINTREE.*—Samuel R. Batcheller, Ephraim F. Claffin, Ebenezer C. Neff, Henry W. Fitts, Charles F. Flint, Henry C. Vinton, Charles S. Holman.

*BROOKFIELD.*—Gordin P. Hibbard, Alfred W. Allen, Charles H. Bigelow, D. W. Clinton Blanchard, Harrison P. Abbott, Andrew S. Aillis, Marshall Green.

*CHELSEA.*—Lyman G. Hinckley, Hira L. Bixby, Hyde Cabot, Willard S. Hatch, Franklin Dearborn, Daniel Burnham, John A. R. Corwin.

*CORINTH.*—George C. Cook, John M. Scribner, Wilson Chapman, R. Richardson, L. K. Richardson, J. E. Taplin, Charles E. Hanson.

*FAIRLEE.*—William H. Kibbey, W. E. S. Celley, George McIndoe, Edwin D. Carpenter, Warren E. Allbee.

*NEWBURY.*—Horace Denio, Enoch G. Parker, Daniel P. Kimball, Sidney Johnson, William W. Brock, Byron O. Rogers, Leonard W. McAllister, Alexander M. Peach, Charles S. Bolton, Andrew Rentrow.

*ORANGE.*—E. C. Camp, E. G. Peake, Lewis Hutchinson, William W. Wilson, Charles Poote.

*RANDOLPH.*—Gilbert Tilson, Austin A. Smith, Charles R. Granger, Nathan S. Clark, J. W. Fargo, Charles W. Taft, Edson Emery, E. F. Adams, Arthur G. Osgood, Levi Washburn.

*STRAFFORD.*—Alaason G. Smith, Henry C. Hatch, Nathan B. Cobb, Moses F. Preston, Noah Powers, Curtis A. Kibling, Dana K. White.

**THETFORD.**—H. H. Gillett, Lyman Slafter, E. B. Stevens, H. P. Cummings, S. G. Smith, W. L. Paine, C. D. Lucas.

**TOPSHAM.**—Horace White, O. B. Gove, John Miles, Calvin Mills, James R. McLam, Spalding Locke, Frank Lamb.

**TUNBRIDGE.**—James M. Whitney, Elizur F. Howe, J. Spencer Hackett, Daniel Noyes, William Wills, Royal H. Drew, James K. Goodwin.

**VERSHIRE.**—R. W. Barrett, Joseph H. Gilman, Stephen B. Darling, J. G. Goodhue, Rufus Blanchard, John H. Gilman, B. F. Fuller.

**WASHINGTON.**—Porter O. Huntington, Martin W. Chamberlin, Plymon Seaver, John P. Fisk, Asa H. Pepper.

**WEST FAIRLEE.**—A. Bean, J. G. Eastman, N. C. Sleeper, M. M. Miller, T. E. Bond, Joseph Tibbetts, F. V. Churchill.

**WILLIAMSTOWN.**—John Lynde, J. F. Bailey, C. U. Lathrop, M. A. Smith, H. D. Abbott, C. E. Webster, O. S. Martin.

### ORLEANS COUNTY.

Julius C. Oliver of Charleston, } *Assistant Judges of County*  
 Clarence P. Owen of Glover, } *Court.*  
 Orlo H. Austin of Barton, *Judge of Probate.*  
 Frank E. Alfred of Newport, *State's Attorney.*  
 Lorenzo D. Miles of Albany, *Sheriff.*  
 Elijah A. Norton of Glover, *High Bailiff.*

### JUSTICES OF THE PEACE.

**ALBANY.**—N. M. Darling, Alexander Frazier, A. W. Norcross, B. N. Moore, William Williams, T. B. Johnson, G. T. Coolidge.

**BARTON.**—A. D. Matthews, D. C. French, Job Guild, J. P. Baldwin, John Forest, Jr., A. O. Blake, Edward Barnard, D. P. Gordon, H. J. Town, Benjamin Mossman.

**BROWNINGTON.**—Robert Alexander, S. S. Tinkham, J. H. Evans, C. A. Parker, Albert Wells.  
**CHARLESTON.**—J. C. Oliver, E. W. Parlin, John G. Parlin, Clarke Royce, L. R. Albee, J. S. Underhill, M. M. Melvin.

**COVENTRY.**—J. S. Kidder, N. W. Gray, H. F. Black, Luke Day, F. C. Williams.

**CRAFTSBURY.**—C. G. Doty, A. P. Dutton, H. H. Douglass, S. A. Smith, P. B. Randall, R. M. Lyon, O. A. Beemis.

**DERBY.**—H. D. Holmes, E. J. Tinker, A. A. Silver, P. S. Robinson, Calvin Wilcox, Elisha Lane, Ira A. Adams, W. H. Kingsley, George W. Grout, Daniel Kilborn.

**GLOVER.**—A. P. Bean, E. O. Randall, C. P. Owen, A. C. Chase, A. J. Spaulding, Lyman Barber, Joel P. Christie.

**GREENSBORO.**—Sumner P. Pinney, T. H. Farrington, James M. Lindsay, William W. Goss, Henry S. Tolman, Joseph A. Crane, Noel B. Payne.

**HOLLAND.**—Myron M. Graves, Isaac H. Marsh, Elisha D. Moore, James A. Bradford, David Brewer.

**IRASBURGH.**—S. H. Howard, E. P. Church, W. D. Post, J. L. Dodge, E. W. Powell, Harlow Foss, F. A. Buchanan.

**JAY.**—Z. O. Sargent, H. D. Chamberlain, L. B. Wakeman, B. F. Place, W. L. Durkee.

**LOWELL.**—Andrew J. Dodge, Irvin Stephenson, Horace O. Hines, Legh H. Wellman, Simonds F. Phelps, Freeman Farman, William B. McElroy.

**MORGAN.**—Cyrus S. Albee, Lyman P. Brooks, Ira C. Taylor, Joel Williams, Ethel C. Cargill.

**NEWPORT.**—C. G. Goodrich, C. L. Erwin, Peter Connel, Harrison Wright, N. S. Rogers, M. G. Sargent, N. B. Hall, O. C. Miller, Rawson Angier, F. J. Farrell.

**TROY.**—W. H. Rand, D. H. Burke, Chandler Bailey, J. M. Lake, Orson Miller, A. J. Williams, F. O. Kennedy.

**WESTFIELD.**—E. S. Miller, Timothy Deblois, Aaron C. Hitchcock, Luther S. Woodworth, Laurin K. Annis.

**WESTMORE.**—Calvin Gibson, J. O. Orne, O. C. Spencer, M. D. Scott, F. H. Foster.

## RUTLAND COUNTY.

David E. Nicholson of Rutland, } *Assistant Judges of County*  
 Barnes Frisbie of Poultney, } *Court.*  
 Jerome B. Bromley of Castleton, } *Judge of Probate for District of*  
*Fair Haven.*  
 Thomas C. Robbins of Rutland, *Judge of Probate for District of*  
*Rutland.*  
 Fred S. Platt of Poultney, *State's Attorney.*  
 Daniel P. Peabody of Rutland, *Sheriff.*  
 Edward S. Colton of Sherburne, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BENSON.**—F. W. Walker, O. H. Bump, A. J. Dickenson, R. D. King, H. S. Root, E. S. Lee, J. H. Alken.

**BRANDON.**—Cornelius H. Forbes, William M. Catlin, John C. Oran, Alvah F. Smith, Frank M. Pierce, George Briggs, Walter F. Wheeler, Lewis J. Fortler, Edwin G. Carr, Alexander Goshier Austin Blanchard, Julius A. Knowlton.

**CASTLETON.**—D. D. Cole, L. B. Smith, James Bradshaw, William C. Moulton, C. K. Williams, N. A. Litchfield, Fayette Barney, R. W. Rowland, Henry A. Pond, James Brenran.

**CHITTENDEN.**—L. I. Winslow, R. O. Dow, William Mullin, E. J. Perry, George L. Knapp, Danford Brown, R. K. Baird.

**CLARENDON.**—Leonard F. Croft, W. W. Walker, Leonard Steward, D. H. Holden, John Eldlan, J. H. Chapman, Thomas Brown.

**DANBY.**—Ira H. Vall, William Otis, E. J. Read, A. S. Baker, Erastus Kelley, C. G. Herrick, C. M. Clark.

**FAIR HAVEN.**—Seth Thompson, Richard E. Lloyd, Marcus B. Dewey, John D. Wood, George M. Fuller, William H. Preston, Edward L. Allen, Erastus H. Phelps, Walter E. Howard, Corril Reed.

**HUBBARDTON.**—S. M. Dikeman, C. B. Rhodes, S. J. Bradley, S. W. St. John, A. S. Kilburn.

**IRA.**—Smith Johnson, S. L. Peck, Eben B. Perry, Enos C. Fish, John Wetmore.

**MENDON.**—Robert Mageen, John McLaughlin, William E. Lamb, Osgood Sargent, Henry Wescott.

**MIDDLETOWN SPRINGS.**—L. Copeland, E. P. Seamons, William N. Gray, W. J. Sisco, Anson Cook.

**MT. HOLLY.**—John Crowley, M. D. Harrington, M. J. Holden, G. W. Graves, Hiland Holden, Windsor Newton, Alfred Crowley.

**MT. TABOR.**—Edward L. Staples, Warren R. McIntyre, Daniel C. Risdon, Frank E. Bond, Benjamin J. Griffith.

**PAWLET.**—George W. Knight, Florus Johnson, Leonard Johnson, James N. Robinson, Willis C. Shaw, W. Blakeley, M. C. Hulett.

**PITTSFIELD.**—Josiah Babcock, Lyman Gibbs, Rufus Holt, Daniel W. Ranney, Henry C. Wilson.

**PITTSFORD.**—D. T. Holden, I. B. Worden, A. C. Randall, M. A. Smith, W. E. Edson, A. D. Tiffany, R. S. Meacham.

**POULTNEY.**—John B. Beaman, Barnes Frisbie, Edward S. Miller, Ira M. Clark, Joseph F. Morse, Alexander Moncrief, C. C. Farwell, William H. Rowland, F. S. Platt, M. Costello.

**RUTLAND.**—James C. Gillespie, M. Duscharme, George H. Putnam, Frank D. Shedd, Leland L. Frost, Joseph Callahan, Charles B. Mann, J. A. Adams, P. J. Sundrogan, George F. Brown, Alexander Seguin, Ransom R. Clark, A. Robillard, John O'Rourke, Edgar S. George.

**SHERBURNE.**—A. T. Estabrooks, Otis L. Webb, H. H. Spaulding, John Johnson, F. M. Plumley.

**SHREWSBURY.**—Nathaniel J. Aldrich, Charles C. Holden, Henry W. Wilcox, Amos Pratt, Amherst W. Aldrich, William F. Morse, George W. Foster.

**SUDBURY.**—Dighton C. Ketcham, Wallace J. Sawyer, Simeon Young, Royal E. Atwood, Rodney Barker.

**TINMOUTH.**—Cyrus Cramton, Levi Rice, Henry Noble, Samuel Noble, William Grover.

**WALLINGFORD.**—Glibert E. Johnson, Elwyn A. Fuller, Andrew F. Mattison, George Smith, Ellsha R. Allen, Addison G. Stone, Phillip P. Congdon.

**WELLS.**—D. S. Parks, E. E. Paul, E. R. Pember, A. X. Lewis, James McBreen.

**WEST HAVEN.**—William Jakway, T. G. Hunt, Rodney C. Abell, Walter C. Brockway, Hollin Hitchcock.

## WASHINGTON COUNTY.

Zed S. Stanton of Roxbury, } *Assistant Judges of County*  
 Ira S. Dwinell of Calais, } *Court.*  
 Hiram Carleton of Montpelier, *Judge of Probate.*  
 Edward W. Bisbee of Barre, *State's Attorney.*  
 Frank H. Atherton of Duxbury, *Sheriff.*  
 John L. Moseley of Northfield, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BARRE.**—George W. Tilden, Warren C. Nye, William D. Hooker, William A. Perry, John Trow, O. J. Howes, Jacob Orcutt, Charles N. Barber, Benjamin B. Hawse, George Lamson.

**BERLIN.**—Martin W. Wheelock, J. N. Perrin, Arthur L. Hewitt, Julius S. Wheelock, Hiram C. Heyward, Lemuel Chandler, Ozias B. Bailey.

**CABOT.**—T. H. Lance, N. K. Abbott, I. F. Haines, J. A. Farrington, R. B. Bruce, J. C. Graves, H. S. Lyford.

**CALAIS.**—M. A. Kent, S. B. Fair, A. G. Dutton, C. R. Dwinell, A. P. Slayton, B. P. White, C. S. Bennett.

**DUXBURY.**—Janus Crossett, E. W. Huntley, Isalah Huntley, W. R. Strickland.

**EAST MONTPELIER.**—T. C. Kelton, George G. Nye, Luther M. Parmenter, E. W. Ormsbee, George H. Dix.

**FAYSTON.**—S. J. Dana, J. P. Boyce, Seth Boyce, S. Johnson, A. D. Bragg.

**MARSHFIELD.**—D. R. Loveland, D. B. Pitkin, C. W. H. Dwinell, J. H. Carpenter, H. S. Laird, M. D. Bemis, Levi Benton.

**MIDDLESEX.**—Lorenzo R. Wells, Seaver Howard, Rufus W. Warren, Myron W. Miles, John W. Dillon, Leroy A. Flint, George O. Hale.

**MONTPELIER.**—Hiram A. Huse, Osman D. Clark, Clark King, Charles DeF. Bancroft, Pringle H. Hinkley, Amariah A. Owen, Melville E. Smille, Henry Lowe, John Mooney, Josiah O. Livingston, William P. Phelps, John H. Senter.

**MORETOWN.**—Barnabas Mayo, George Bulkley, Freeman Parker, C. A. Foster, S. D. Sleeper, A. C. Brownson, John Lynch.

**NORTHFIELD.**—Thomas Averill, John B. Johnson, C. S. Richmond, R. W. Clark, Luther Rich, Henry Jones, D. B. Wooster, Thomas Elliott, O. O. Miller, Simon T. Judd.

**PLAINFIELD.**—W. S. Martin, Nathan Skinner, Nathaniel Lombard, Erastus Batchelder, Fred Perrin.

**ROXBURY.**—Jacob Wardner, George B. Hall, Salmon Williams, Clark Flint, George W. Williams.

**WAITSFIELD.**—J. H. Hastings, Josiah Holden, Charles E. Jones, Henry M. Bushnell, Herman T. J. Howe.

**WARREN.**—James Cardell, H. W. Lyford, L. E. Hanks, P. Rlford, C. W. Bragg.

**WATERBURY.**—James A. Burlleigh, George H. Lease, C. N. Arms, F. N. Smith, Daniel Hopkins, E. B. Huse, C. B. Clark, J. S. Wheeler, C. C. Robinson, Joel Remington.

**WOODBURY.**—T. C. Putnam, C. A. McKnight, L. J. Benjamin, L. O. Leonard, H. E. Whiten.

**WORCESTER.**—C. C. Tewksbury, H. P. Darling, Horatio Templeton, J. A. Kelton, Roger Hovey.

Your committee further report that the town of Duxbury is entitled to five justices of the peace. Four only were elected, and that J. D. Andrews, John Carver, Frank Wisley, Hazen Morse, John O'Neil and Park Avery have received the next highest and each an equal number of votes.

Whereupon, on nomination of N. W. Ward of Duxbury, J. D. Andrews was duly elected a justice of the peace, within and for the county of Washington, resident in Duxbury, for the term of two years from and including the first day of December, A. D., 1886, by a *viva voce* vote.

## WINDHAM COUNTY.

Ranslure W. Clark of Brattleboro, } *Assistant Judges of County*  
 Lewis S. Walker of Grafton, } *Court.*  
 Royal Tyler of Brattleboro, *Judge of Probate for District of Marl-*  
*boro.*  
 Lavant M. Read of Bellows Falls, *Judge of Probate for District of*  
*Westminster.*  
 Hosea Mann, Jr., of Wilmington, *State's Attorney.*  
 J. Henry Kidder of Wilmington, *Sheriff.*  
 George S. Foster of Putney, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ATHENS.**—Eugene S. Kingsley, William C. Robbins, William W. Bridges, Amos T. Ball, Jerrie M. Powers.

**BRATTLEBORO.**—Royal Tyler, William S. Newton, James M. Tyler, Kittredge Haskins, Edgar W. Stoddard, Ranslure W. Clark, James L. Martin, T. J. B. Cudworth, Fresson F. Perry, John W. Burnap, Peleg Barrows, John S. Cutting, Oscar D. Esterbrook, James Conland, Walter H. Childs.

**BROOKLINE.**—William Adams, J. B. Stebbins, C. P. Stickney, R. E. Marsh, L. W. Bush.

**DOVER.**—George E. Rice, George B. Boyd, Gilbert W. Yeaw, Moses J. Bogle, Stillman H. Lazell

**DUMMERSTON.**—A. B. Bailey, S. W. Wilson, S. L. Dutton, J. E. Worden, T. N. Reed.

**GRAFTON.**—Samuel Phelps, Sidney Holmes, Thomas W. Davis, Edwin C. Sherwin, Warren G. Stevens.

**GUILFORD.**—William W. Barney, S. L. Hunt, N. P. Chapin, J. H. Richmond, F. G. Taylor, J. L. Bullock, C. B. Lamson.

**HALIFAX.**—Jed Stark, Frank Worden, L. M. Woodard, Emery F. Evans, Millard Weeks.

**JAMAICA.**—Fred B. Pier, David Eddy, Charles Robbins, William F. Gleason, William L. Barnes, John Parsons, Moses C. Skinner.

**LONDONDERY.**—W. W. Pierce, A. A. Curtis, A. W. J. Wilkins, S. M. Holden, O. S. Abbott, H. D. Tyler, H. W. Smith.

**MARLBORO.**—A. M. Prouty, H. W. Bellows, J. H. Hamilton, J. O. Metcalf, W. E. King.

**NEWFANE.**—Frederick O. Burditt, Eugene P. Wheeler, Dennis A. Dickinson, Thomas A. Morse, Albert T. Warren, George W. Sherwin, Oliver P. Morse, Jr.

**PUTNEY.**—Charles W. Kimball, Russell H. Bradley, Sterne O. Parker, Elmond Ayer, John F. Clarke, Denison Davis, John F. Austin.

**ROCKINGHAM.**—J. B. Divoll, Maynard F. Burt, H. C. Wiley, Thomas H. Hughes, Leonard C. Hubbard, Lewis H. Eastman, Zina H. Allbee, Orville L. Slader, Daniel D. Howard, Herbert D. Ryder, N. G. Williams, Franklin P. Ball.

**SOMERSET.**—Jason W. Rice, Hollis Town, William C. Bailey, F. D. Chase, Asa Burnap.

**STRATTON.**—William K. Lyman, Henry P. Forrester, Joel F. Grout, Jerome B. Temple.

**TOWNSHEND.**—James H. Phelps, O. S. Howard, O. R. Garfield, J. S. Fullerton, I. K. Batchelder, H. H. Holbrook, B. B. Brigham.

**VERNON.**—Lorenzo Brown, Artemus H. Washburn, Thomas Goodwillie, Marshall J. Reed, Jason C. Allen.

**WARDSBORO.**—Avery J. Dexter, Addison J. Martin, Norman C. Johnson, Thomas F. Johnson, Merrill L. Leonard.

**WESTMINSTER.**—Henry C. Lane, William B. Cutting, Daniel C. Wright, Ebenezer Hall, Marvin W. Davis, Thomas C. Wiley, George R. Harlow.

**WHITINGHAM.**—George Porter, A. A. Butterfield, H. B. Ballou, Otis B. Wheeler, E. S. Allen, C. S. Chase, R. D. Brown.

**WILMINGTON.**—Edward Titus, O. E. Butterfield, Clark Chandler, S. T. Davenport, H. Mann, Jr., E. H. Davenport, W. R. Boyd.

**WINDHAM.**—Henry M. Abbott, Henry M. Bemis, Adelbert J. Stearns, James W. Gould, Ezra Pierce.

Your committee further report that the town of Stratton is entitled to five justices of the peace. Four only were elected, and that Edwin L. Grout and Jeremiah D. Styles have received the next highest and each an equal number of votes.

Whereupon, on nomination of Mr. Newton of Dummerston, J. D. Styles was duly elected a justice of the peace within and for the county of Windham, resident in Stratton, for the term of two years from and including the first day of December, A. D., 1886, by a *viva voce* vote.



## WINDSOR COUNTY.

William Rounds of Chester, } *Assistant Judges of County*  
 Nelson Gay of Stockbridge, } *Court.*  
 John Porter of Hartford, *Judge of Probate for District of Hartford.*  
 Hugh Henry of Chester, *Judge of Probate for District of Windsor.*  
 William Batchelder of Windsor, *State's Attorney.*  
 Gardner J. Wallace of Bethel, *Sheriff.*  
 Wilson S. Lovell of Springfield, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ANDOVER.**—George W. Stickney, Lewis Howard, Henry J. Parker, Charles M. Gutterson, Volney J. Wood.

**BALTIMORE.**—Thomas Preston, G. H. Coffin, Lewis Bemis, O. D. Freeman.

**BARNARD.**—Isaac D. Davis, George C. Hammond, Daniel S. Perkins, Joseph E. Safford, Charles W. Graves, William H. Webb, B. R. Liddle.

**BETHEL.**—William R. Adams, J. D. Cushing, Norman Fowler, N. B. Byam, A. A. Brooks, E. R. Hatch, W. G. Whittaker.

**BRIDGEWATER.**—Bezaleel Wood, Andrew J. Pinney, C. Henry Bugbee, William C. Raymond, Alfred Sargent, Lewis H. Spaulding, Matthew E. Kennedy.

**CAVENDISH.**—H. S. Pierce, George S. Hill, William Smith, S. A. Craigie, George F. Davis, George C. Shedd, Charles F. Barrett.

**CHESTER.**—Edward E. Barney, Roland P. Pollard, Henry L. Aldrich, Fred W. Marsh, Joseph R. Richardson, William Pierce, Jacob H. Marsh.

**HARTFORD.**—M. F. Bartholomew, John Porter, Edwin H. Bagley, George W. Gates, Charles R. Whitman, John H. Hazen, William G. Chandler, Edward W. Morris, George W. Smith.

**HARTLAND.**—W. S. Crooker, B. F. Labaree, W. R. Sturtevant, Asa Weed, James G. Bates, E. W. Billings, Henry R. Miller.

**LUDLOW.**—Elwin A. Howe, Leighton G. Fullam, William H. Dunbar, William D. Ball, Charles W. Hemenway, Charles S. Mason, Charles Raymond, E. E. Hathorn, Martin H. Goddard, Lorenzo Howard.

**NORWICH.**—John W. Loveland, Charles E. Ensworth, Royal E. Cook, William H. Clogston, Myron S. Colburn, Ellihu N. Finney, Charles W. Brown.

**PLYMOUTH.**—Alonzo F. Hubbard, Henry F. Pinney, John J. Wilder, Simeon H. King, John W. Stickney, Alpheus F. Snow.

**POMFRET.**—Henry Brockway, Orville M. Tinkham, William C. Whipple, Edwin Allen, W. B. Hutchinson, Oliver G. Bugbee, Asa E. Fuller.

**READING.**—William W. Keyes, Daniel P. Sawyer, Elwin W. Goddard, David E. Burnham, Orsemor S. Holden.

**ROCHESTER.**—G. L. Chaffee, W. W. Williams, C. Stanley, W. A. Goodno, H. H. Cushman, A. G. Stockwell, F. C. Kezer.

**ROYALTON.**—Martin T. Skinner, Charles W. Bliss, Henry W. Dutton, Charles D. Lovejoy, Horace P. Allen, Henry H. Whitcomb, William H. Martin.

**SHARON.**—D. E. Parkhurst, H. G. Moore, Amos Emery, A. B. Mosher, George E. Fay, J. H. Marsh, E. B. Baldwin.

**SPRINGFIELD.**—Horace H. Howe, Daniel O. Gill, Almon B. Damon, Merrill L. Lawrence, Jonathan M. Butterfield, Nathan S. Proctor, O. P. Dunn, C. Horace Hubbard, Rufus O. Forbush, George O. Henry, Russell S. Herrick, Fred G. Ellison.

**STOCKBRIDGE.**—Nelson Gay, Benjamin Cozzens, R. E. Wilson, Charles S. Carroll, Ezra McCollom, Martin Wyman, O. J. Richardson.

**WEATHERSFIELD.**—George Barrett, Charles Mudgett, E. S. Jackman, Jabez Hammond, F. E. Putnam, D. W. C. Thrasher, John Spafford.

**WESTON.**—W. W. Manning, R. B. Jaquith, S. E. Carpenter, O. S. Osborn, H. E. Felton.

**WEST WINDSOR.**—Walter I. Kendall, William H. H. Ralph, Cyron S. Worcester, Frederic Moulton, John W. Cady.

**WINDSOR.**—Thales B. Winn, Henry D. Stone, Horace Weston, Henry L. Story, Harvey Miller, Stanley R. Bryant, C. D. Penniman, Thomas Keefe, L. W. Stocker, R. F. Ely.

**WOODSTOCK.**—Henry W. Walker, Charles H. English, William C. Vaughan, Edwin C. Emmons, Jasper Hazen, Horace C. Lockwood, George W. Paul, Thomas O. Seaver, Richard H. Kingsley, John Gilman.

Your committee further report that the town of Hartford is entitled to *ten* justices of the peace: *nine* only were elected, and that Darius Russ and Zerah B. Clark received the next highest and each an equal number of votes.

Whereupon, on nomination of Mr. Dewey of Hartford, Zerah B. Clark was duly elected a justice of the peace within and for the

county of Windsor, resident in Hartford, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

Your committee further report that the town of Plymouth is entitled to *seven* justices of the peace; *six* only were elected and that Ed. B. Partridge and Harmon McWain have received the next highest and each an equal number of votes.

Whereupon, on nomination of Senator Fletcher of Windsor county, Ed. B. Partridge was duly elected a justice of the peace within and for the the county of Windsor, resident in Plymouth, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
Clerk.

IN JOINT ASSEMBLY, }  
October 20, 1886, 12 M. }

The senate and house of representatives met in joint assembly in the hall of the house of representatives, in pursuance of an act of congress entitled "an act to regulate the times and manner of holding elections for senators in congress," approved July 25, 1866, and in conformity to a joint resolution, which was read by the clerk, and is as follows:

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly in the hall of the house of representatives at twelve o'clock noon on Wednesday, the 20th day of October inst., for the purpose of completing the election of senator of the United States for the State of Vermont for the full term of six years from and including the 4th day of March, A. D. 1887, as required by the act of congress entitled "an act regulating the time and manner of holding elections for senators in congress," approved July 25, 1866.*

His HONOR, LEVI K. FULLER, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

The portion of the journal of the senate for October 19, 1886, relating to the election of senator, having been read by the secretary, Mr. Brownell, and that portion of the journal of the house of representatives of the same date, relating to the election of senator, having been read by the clerk, Mr. Stickney, and it appearing therefrom that George F. Edmunds of Burlington had received a majority of all the votes cast in both houses, he was declared duly elected a senator from the State of Vermont to represent said state in the congress of the United States for the full term of six years from and including the 4th day of March, A. D. 1887.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
Clerk.

IN JOINT ASSEMBLY, }  
October 20, 1886, 2.30 P. M. }

The senate and house of representatives met in joint assembly in the hall of the house of representatives, pursuant to a joint resolution which was read by the clerk, and was as follows :

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly at half-past two o'clock in the afternoon on Wednesday, the 20th day of October, 1886, for the purpose of electing a chief judge and associate judges of the supreme court.

His Honor, LEVI K. FULLER, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

For chief judge of the supreme court, Mr. Poland of Waterville nominated Homer E. Royce of St. Albans.

Whereupon no other nomination being made,

HOMER E. ROYCE of St. Albans,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

For first assistant judge of the supreme court,

Senator Bates of Calendon county nominated Jonathan Ross of St. Johnsbury.

Whereupon no other nomination being made,

JONATHAN ROSS, of St. Johnsbury,

were duly elected to that office, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

For second assistant judge of the supreme court,

Mr. Stanton of Roxbury nominated H. Henry Powers of Morristown.

Whereupon no other nomination being made,

H. HENRY POWERS, of Morristown,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

For third assistant judge of the supreme court,

Mr. Abell of West Haven nominated Wheelock G. Veazey of Rutland.

Whereupon no other nomination being made,

WHEELOCK G. VEAZEY, of Rutland,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

For fourth assistant judge of the supreme court.

Mr. Haselton of Burlington nominated Russell S. Taft of Burlington. Whereupon no other nomination being made,

RUSSELL S. TAFT, of Burlington,

was duly elected to that office for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

For fifth assistant judge of the supreme court,

Mr. Mansur of Brighton nominated John W. Rowell of Randolph. Mr. Flagg of Braintree nominated Dudley C. Denison of Royalton.

Senators Pierce of Windsor county, Hale of Essex county and Messrs. Flagg of Braintree, Mansur of Brighton and Lombard of Randolph were appointed tellers.

The ballots having been taken and examined, it appeared that

JOHN W. ROWELL, of Randolph,

had been elected to that office for the term of two years from and including the first day of December, A. D. 1886.

For sixth assistant judge of the supreme court,

Mr. Marsh of Woodstock nominated William H. Walker of Ludlow. Whereupon no other nomination being made,

WILLIAM H. WALKER, of Ludlow,

was duly elected to that office for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
*Clerk.*

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IN JOINT ASSEMBLY, }  
November 4, 1886, 2.30 P.M. }

The senate and house of representatives met in joint assembly in the hall of the house of representatives, in pursuance of a joint resolution which was read by the clerk, and is as follows:

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly at half-past two o'clock in the afternoon on Thursday, the 4th day of November, A. D. 1886, for the election of sergeant-at-arms, brigade commander, adjutant and*

inspector-general, quartermaster-general, judge advocate general, three supervisors of the insane, state superintendent of education, three trustees of the Vermont reform school, and three trustees of the University of Vermont and State Agricultural College to serve for the period of six years from and including December 1st, 1887.

His Honor, LEVI K. FULLER, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

For sergeant-at-arms, Mr. Abell of West Haven nominated Truman C. Phinney of Montpelier.

Whereupon no other nomination being made,

TRUMAN C. PHINNEY, of Montpelier,

was duly elected to that office for the term of two years from and including the 1st day of December, A. D. 1886, by a *viva voce* vote.

For brigade commander, Senator Wells of Chittenden county nominated William L. Greenleaf of Colchester.

Whereupon no other nomination being made,

WILLIAM L. GREENLEAF, of Colchester,

was duly elected to that office for the term of two years next ensuing by a *viva voce* vote.

For adjutant and inspector-general, Mr. Ripley of Mendon nominated Theodore S. Peck of Burlington.

Whereupon no other nomination being made,

THEODORE S. PECK, of Burlington,

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For quartermaster-general, Senator Smith of Washington county nominated William H. Gilmore of Fairlee.

Whereupon no other nomination being made,

WILLIAM H. GILMORE, of Fairlee,

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For judge advocate general, Mr. Chesmore of Huntington nominated George T. Childs, of St. Albans.

Whereupon no other nomination being made,

GEORGE T. CHILDS, of St. Albans,

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For first supervisor of the insane, Senator Stoddard of Windham county nominated Homer Goodhue of Westminster.

Whereupon no other nomination being made,

HOMER GOODHUE, of Westminster,

was duly elected to that office for the term of two years from and including the first day of December, A. D. 1886, by a *viva voce* vote.

For second supervisor of the insane, Mr. Haselton of Burlington, nominated Lucius C. Butler of Essex; Mr. Bedard of St. Albans, Alvin H. Chesmore of Huntington.

Senators Stoddard of Windham county and Spear of Orange county, and Messrs. Bedard of St. Albans, Baxter of Sharon and Haselton of Burlington were appointed tellers.

The ballots having been taken and counted, it appeared that

LUCIUS C. BUTLER, of Essex,

had been duly elected to that office for the term of two years from and including the first day of December, A. D. 1886.

For third supervisor of the insane, Senator Hale of Essex county nominated Russell T. Johnson of Concord.

Whereupon no other nomination being made,

RUSSELL T. JOHNSON, of Concord.

was duly elected to that office for the term of two years from and including the 1st day of December, A. D. 1886, by a *viva voce* vote.

For state superintendent of education, Senator Cushing of Windham county nominated Justus Dartt of Springfield.

Whereupon no other nomination being made,

JUSTUS DARTT, of Springfield,

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For first trustee of the Vermont reform school, Mr. Perkins of Bakersfield nominated Henry R. Start of Bakersfield.

Whereupon no other nomination being made,

HENRY R. START, of Bakersfield,

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For second trustee of the Vermont reform school,

Mr. Allen of Ferrisburgh nominated Julius N. North of Shoreham.

Whereupon no other nomination being made,

JULIUS N. NORTH, of Shoreham,

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For third trustee of the Vermont reform school, Mr. Poland of Waterville nominated Truman C. Fletcher of St. Johnsbury.

Whereupon no other nomination being made,

**TRUMAN C. FLETCHER**, of St. Johnsbury.

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For first trustee of the University of Vermont and State Agricultural College, Senator Wells Chittenden county nominated Justin S. Morrill of Strafford.

Whereupon no other nomination being made,

**JUSTIN S. MORRILL**, of Strafford,

was duly elected to that office for the term of six years from and including the first day of December, A. D. 1887, by *viva voce* vote.

For second trustee of the University of Vermont and State Agricultural College, Senator Swain of Windham county nominated Alvin B. Franklin of Newfane.

Whereupon no other nomination being made,

**ALVIN B. FRANKLIN** of Newfane,

was duly elected to that office, for the term of six years from and including the first day of December, A. D. 1887, by a *viva voce* vote.

For third trustee of the University of Vermont and State Agricultural College, Senator Stanley of Addison county nominated Howard F. Hill of Montpelier.

Whereupon no other nomination being made,

**HOWARD F. HILL**, of Montpelier,

was duly elected to that office, for the term of six years from and including the first day of December, A. D. 1887, by a *viva voce* vote.

The joint assembly dissolved.

**CHARLES W. PORTER**, Secretary of State,  
*Clerk.*

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### STATE OF VERMONT.

OFFICE OF SECRETARY OF STATE, }  
MONTPELIER, November 24, 1886. }

I hereby certify that the foregoing is a true record of the proceedings of the joint assembly of the biennial session of the legislature, for the year A. D. 1886.

**CHARLES W. PORTER**, Secretary of State,  
*Clerk.*

"THE GROVES WERE GOD'S FIRST TEMPLES."

STATE OF VERMONT.

By SAMUEL E. PINGREE, Governor.

A PROCLAMATION.

"Jock, when ye hae naething else to do, ye may be sticking in a tree ; it will be growing, Jock, when ye're sleeping."—*Highland Laird of Scotland.*

TO THE PEOPLE OF VERMONT :

The institution of Arbor Day by executive proclamation, based upon legislative enactment or other rightful comprehension of the wants and needs of the people, has already been set up in many of the commonwealths of the Republic, and it is believed that every remaining state and territory will soon have snatched an annual day from the calendar and dedicated it to the honored observance of this day.

The love of Vermonters for trees and groves should show itself along every thoroughfare and wayside ; upon the village green and city park ; around the school-house and by the academy ; the grounds of the home should be tastefully adorned with the maple, the oak and the elm, and thereby made scenes of lovelier memories ; the church, too, should be reached through their pleasant and inspiring shades ; and the "God's Acre," where we shall all soon sleep with our beloved ones, should not remain neglected of these adornments of nature that form the finest drapery that hallows the earth.

This sentiment is equally strong in the minds of youth and age, with women as well as with men. It is economic in its practical results, in enhancing the value of the farm, the village and the town ; in augmenting the beauty and comfort of homes ; and in setting them amid such scenes of taste and loveliness as will enchain the memories of our children to them to their latest day.

To aid, therefore, in the systematic encouragement of tree planting throughout our various communities ; to awaken and develop among our people, and especially in our youth, a taste for the study of nature and a purpose to take delight and profit in an important branch of agriculture ; to render our homes more homelike and attractive by the annual setting of thousands of shade trees in every town ; and to the end that the happiness and comfort of our people in the years to come be measurably increased, I do hereby designate and recommend that FRIDAY, THE FIRST DAY OF MAY, A. D. 1885, be observed as ARBOR DAY, and respectfully ask that it be made a general holiday.



And I recommend that the people of the state, do on that day, plant trees along the streets, by the roadsides, in parks and commons, around the public buildings, by their homes and in the waste places.

Municipal and religious corporations, societies for village and town improvement, school officers and teachers and all who can plant a tree can contribute aid in carrying out the purpose of the day which promises so important results in the near future.

Organizations and plans for the systematic observance of the day should be made beforehand by societies, associations and schools, and the study of the various trees and the details essential to their safe transplanting should initiate the work, to make the day one of ardent and inspiring interest and value.

Given under my hand and the state seal, at Hartford, this sixth day of April, in the year of our Lord one thousand eight hundred and eighty-five.

SAMUEL E. PINGREE.

By the Governor:

ALFRED E. WATSON,

*Secretary of Civil and Military Affairs.*

## STATE OF VERMONT.

By SAMUEL E. PINGREE, Governor.

## A PROCLAMATION.

The sad tidings of the death of our illustrious countryman, GENERAL ULYSSES S. GRANT, have already been heralded by wire, through the press and by Presidential proclamation, to the mourning millions of the nation, and SATURDAY, THE EIGHTH DAY OF AUGUST, next, has now been authoritatively designated as the day for the national obsequies of a bereaved people over the mortal remains of their greatest military chieftain, ex-President and beloved fellow-citizen.

A people who have constantly watched the great sufferer through the weary months that disease has preyed in slow but fatal progression upon him, and noted with what noble and characteristic patience and fortitude he has met and endured it all, hardly require an official suggestion to insure a universal recognition and observance of the Nation's funeral day of our departed chieftain.

His work is done and it is done well. Wherever his grave shall be, it will be kept green and sacred from age to age, as will his memory and the story of his great deeds. As the leader of the Nation's armies, his persistency of purpose, his sublime faith in victory for the Union arms, his magnanimity in the hour of triumph, his personal integrity and high sense of justice to his fellow men, have placed General Grant's fame high on the roll of the good as well as the great.

He has stood not only at the head of our armies in the great conflict for the Nation's life and as the twice selected President of the Union, but more than any other man, living or dead, he has been the honored guest of all the great peoples of the world, and the kings and princes and merchants of all lands have paid him homage and done reverence to his patriotic achievements.

It is fitting that the people of every state should unite their own with the official tributes of respect ordered in the proclamation of the President, and do special honor to the memory of the Nation's chieftain.

I do therefore, hereby invite the people of this state to display emblems of mourning on the day of the public funeral of General Ulysses S. Grant, and to place their flags at half staff.

And, as a further tribute of respect to his memory, I recommend that on that day the people of the state assemble in their churches, assembly halls and other customary places of concourse, and unite in such pious services as may befit the deep solemnity of the occasion.

And I do hereby direct that the national flag be displayed at half staff upon the capitol and other public buildings of the state throughout the day so designed for the national obsequies.

Done at Hartford, this twenty-seventh day of July, A. D. 1885.

By the Governor :

SAMUEL E. PINGREE.

• ALFRED E. WATSON,

*Secretary of Civil and Military Affairs.*

## STATE OF VERMONT.

By SAMUEL E. PINGREE, Governor.

## A PROCLAMATION.

In accordance with the common law of our state and a most revered custom, I do hereby appoint THURSDAY, THE TWENTY-SIXTH DAY OF THE PRESENT MONTH, as a day of public thanksgiving to Almighty God for His manifold blessings and mercies to us as a state and nation.

And I recommend and enjoin the people of the state on that day to lay aside their secular pursuits and assemble in their customary places of worship and around the sacred altars of the home, and, with fitting observance of grateful song and praise, recognize the sovereign goodness and love of our Heavenly Father for the many and varied blessings which He has vouchsafed to us during the past year.

Let us thank Him for our continued peace as a state and nation; let us praise Him for our almost perfect immunity from the devastations by disease and the elements; let us bless Him for the harvests of rare abundance; and let us thank Him and praise Him and bless Him, and adore His great name for the abounding content, happiness and prosperity of the people of this great and progressive nation "whose God is the Lord."

Given under my hand and the state seal, at Hartford, this third day of November, in the year of our Lord one thousand eight hundred and eighty-five.

SAMUEL E. PINGREE.

By the Governor :

ALFRED E. WATSON,

*Secretary of Civil and Military Affairs.*

## STATE OF VERMONT.

By SAMUEL E. PINGREE, Governor.

## A PROCLAMATION.

In every act of life we find the proofs of God's wisdom overruling the plans of men and shaping the destinies of states and nations for the advancement and happiness of the human family.

Without the recognition of His goodness and power in all our endeavors, the lives of men and the continuance of governments would prove abortive of all good.

It is fitting, therefore, that the people of this Christian state, in humble acknowledgement of the well-known laws of God in His dealings with His children, should at all times, and under all circumstances, and especially at this season of the year, to accord with the usages of New England which have established and made hallowed an annual fast, turn aside from their ordinary duties and pleasures, and, in due humility, confess their dependence upon his strength and mercy for the blessings he has so bountifully vouchsafed.

I do, therefore, appoint FRIDAY, THE 9TH DAY OF APRIL NEXT, as a day of fasting, humiliation and prayer.

May the people of this state turn their hearts and minds towards God as the fountain of all good, and unitedly implore forgiveness of our sins. Let us dedicate our lives in sincere consecration to Him, and earnestly supplicate a continuance of His divine favor and protection.

Let us implore comfort for the afflicted, relief for the distressed and hope for those who are oppressed or despair.

Let us invoke the blessings of a perfect standard of justice between our fellow-men, that integrity and honor, a high morality and a pure religious sentiment may pervade the lives of all; that He may continue to protect us from the ravages of pestilence and plague, and from disaster and danger; that the blessings of peace and civil and religious freedom may abide with us; that the evils of intemperance, ignorance and every source of social disorder may be averted from us; that the work of our lives may be more zealous in the promotion of education, benevolence and charity.

To these and kindred ends, I recommend that all our people on that day abstain from unnecessary labor, recreation and amusement, and assemble in their houses of worship and consecrate the day to such public and private services as may be befitting its religious observance throughout the state.

Given under my hand and the state seal at Hartford, this 15th day of March, in the year of our Lord one thousand eight hundred and eighty-six, and of American independence the one hundred and tenth.

By the Governor :

SAMUEL E. PINGREE.

ALFRED E. WATSON,

*Secretary of Civil and Military Affairs.*

## STATE OF VERMONT.

By SAMUEL E. PINGREE, Governor.

## A PROCLAMATION.

## TO THE PEOPLE OF VERMONT :

The custom of designating an annual Arbor Day has already become honored by time, and the welcome recognition and observance of it by the citizens in several of the commonwealths of our Union.

It has extended from year to year, and now prevails in many states and will, it is believed, embrace our whole country in the near future.

No measure can be devised which will contribute more to the value, attractiveness and beauty of our Vermont towns, villages and homes, than the judicious improvement of the economic adornments of nature, which may be so readily utilized by all.

The so general and earnest response to the executive recommendation of last year by the people of the state, demands that a day be again designated for united progression in the work then so systematically organized and prosecuted throughout the towns and villages.

Therefore, in obedience to the popular will, and in the hope that the practice may become general with Vermonters, as it has with the people of other progressive states, I do hereby designate and set apart SATURDAY, THE 24TH DAY OF APRIL, INSTANT, to be observed as Arbor Day in Vermont. And I recommend that the people prepare for its observance by an interchange of views, and by further organization, discussion and distribution of information on the subject, that the labors of the day may be directed towards intelligent and enduring results.

And I invite all societies, associations, army posts, schools and individuals to devote the day to the planting of trees, shrubbery, and the vine, for ornament, comfort and use in the parks and commons, as well as by the private home—around the public buildings and society halls; on the school grounds, by the church, around the cemetery, and along the roadsides and the village streets.

Given under my hand and the state seal at Hartford, this sixth day of April, in the year of our Lord one thousand eight hundred and eighty-six.

SAMUEL E. PINGREE.

By the Governor :

ALFRED E. WATSON,

*Secretary of Civil and Military Affairs.*

## STATE OF VERMONT.

By EBENEZER J. ORMSBEE, Governor.

## A PROCLAMATION.

In accordance with the time-honored and revered custom, and in unison with the President of the United States, I do hereby appoint THURSDAY, THE 25TH DAY OF NOVEMBER, INSTANT, to be observed as a day of thanksgiving and praise to Almighty God.

And, I hereby enjoin upon all of the people of this state that on the day thus set apart, they omit their ordinary and secular employments and give special thought and attention to religious observances and duties; and to that end, I most earnestly recommend that all of the people of this state assemble on that day in their accustomed places of worship, and there make humble and reverent acknowledgment to Almighty God, for His goodness to them and of their dependence upon Him, and join in expressions of devout thankfulness for His many special blessings and mercies to our commonwealth.

And in our devotions that day, let us not omit to make earnest and devout petition and supplication that the hearts of men may be so changed that there will be no place there for hypocrisy and evil thought; that there may be more charity for others; that there may be a better observance of the Golden Rule; that honesty, temperance and virtue may everywhere prevail.

Given under my hand and the seal of the state, in the executive chamber at Montpelier, this eighth day of November, A. D. 1886, and of the independence of the United States the one hundred and eleventh.

EBENEZER J. ORMSBEE.

By the Governor:

FLETCHER D. PROCTOR,

*Secretary of Civil and Military Affairs.*

## STATE OF VERMONT.

By EBENEZER J. ORMSBEE, Governor.

## A PROCLAMATION.

In accordance with the venerated custom of New England, it becomes the people of this state to humbly confess their transgressions and short-comings to Almighty God, and in humility acknowledge their dependence upon Him.

Therefore, I, Ebenezer J. Ormsbee, Governor of the State of Vermont, do hereby appoint FRIDAY, THE EIGHTH DAY OF APRIL NEXT, as a day of fasting, humiliation and prayer. Let us on that day cease from our accustomed labors, refrain from improper amusements and meet in the appointed places of worship, and there join in fitting and appropriate religious exercises. I recommend that at such exercises, and at our homes, we make special acknowledgment of our dependence upon the Divine Providence and devoutly pray to God for a continuance of His many blessings and mercies.

Especially let us earnestly supplicate that the scourge of intemperance may be stayed, and that our otherwise happy and prosperous land may be relieved from that wide-spread and terrible curse; and may we not only so pray, but so live that our precept and example may be in accordance with such prayer.

Given under my hand and the seal of the state, in the executive chamber at Brandon, this eighteenth day of March, A. D. 1887, and of the independence of the United States the one hundred and twelfth.

EBENEZER J. ORMSBEE.

By the Governor:

FLETCHER D. PROCTOR,

*Secretary of Civil and Military Affairs.*





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